STATUTES OF SALISBURY CATHEDRAL

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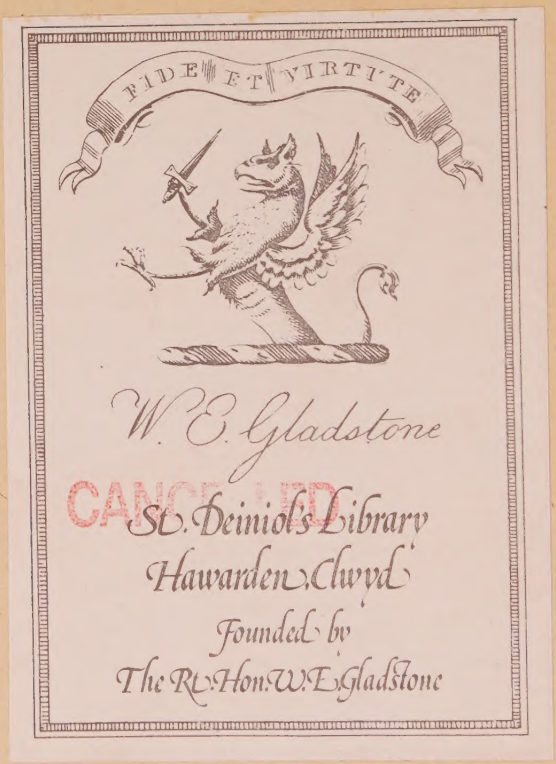

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STATUTES AND CUSTOMS OF THE CATHEDRAL CHURCH OF SALISBURY

(I.) THE STATUTES

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STATUTA ET CONSUETUDINES
ECCLESIÆ CATHEDRALIS BEATÆ MARIÆ VIRGINIS
SARISBERIENSIS

STATUTES AND CUSTOMS
OF THE
CATHEDRAL CHURCH OF THE BLESSED VIRGIN MARY OF SALISBURY

EDITED BY
CHR. WORDSWORTH, M.A.
SUBDEAN
AND
DOUGLAS MACLEANE, M.A.
PREBENDARY OF BISHOPSTON

"Ecclesia nostra Cathedralis, quam, ceu civitatem in monte positam, inter alias ecclesias lucere et cæteris omnibus exemplo esse convenit."—BP. JEWEL.

"Vir bonus est quis?—
Qui consulta Patrum, qui leges iuraque seruat."
HORACE. *Epist.* I., xvi., 40.

LONDON
WILLIAM CLOWES AND SONS, LIMITED
31, HAYMARKET, S.W.
1915

47482

PRINTED BY
WILLIAM CLOWES AND SONS, LIMITED,
LONDON AND BECCLES.

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PREFACE

For the purpose of introducing our present work to the reader, we can hardly do better than begin by quoting four short paragraphs from the Introduction which two Canons and Prebendaries of this Church, E. A. Dayman and W. H. Rich Jones, prefixed to their edition of the Statutes of Salisbury Cathedral Church and Chapter[1]:—

"Every Canon of Sarum, on his admission to 'a stall in choir and voice in Chapter' by the Dean, in virtue of a prebend to which he has been previously collated by the Bishop, promises solemnly to obey 'the statutes and laudable customs of the Cathedral Church'" (pp. 28, 127–130, 144).

"Since the Reformation, in the sixteenth century, this oath has been qualified by the addition of the words, 'quatenus cum verbo Dei et statutis hujus regni consentiunt,' that is, 'so far as they are in accordance with the Word of God, and the statutes of this realm.'"

"The contents of these volumes will explain what such 'statutes and laudable customs of the Cathedral' are. Subject to the above modification, or to any others introduced by subsequent Acts of Parliament, they are binding, in spirit at all events, on all who may be installed as Canons, or admitted to any dignity or office in the Cathedral."

"The various 'statutes and ordinances' are printed in chronological order, and so of themselves exhibit the gradual growth and development of the cathedral system at Sarum."

[1] *Statuta et Consuetudines Ecclesiæ Cathedralis Sarisburiensis*, 4to, privately printed at Bath (W. Lewis and Son, the *Herald* Office, North Gate), January, 1883.

The documents cited by Canons Dayman and Jones extended over just six centuries; commencing with the Foundation-Charter (A.D. 1091) and terminating with statutes passed in the Visitation of Bishop Burnet, A.D. 1697. No statute seems to have been passed here in the XVIIIth century. We have, however, found one statute which was confirmed under seal in 1813, and though it has now only an antiquarian interest (since the system of fines on renewal of leases has become obsolete), we have printed it as an exception to the statement of the former Editors that apparently since 1697 "no statute or ordinance has been passed having the sanction of the Bishop and the *whole* Chapter, a condition that is implied as necessary to their validity in all those contained in this volume; for, as Bishop Roger de Mortival's rule expresses it (p. 150),[1] 'quod omnes tangit debeat ab omnibus approbari.'"

I have added to the present volume (which is concerned mainly with the STATUTES) an account of the Visitation of the Cathedral held in 1888–1890 by Dr. John Wordsworth, who was Bishop of Salisbury from 28th October, 1885, to 16th August, 1911.

I have also added as an appendix a history of the development of the "Combination," or *Table of Preaching Turns* assigned to the Prebendaries and others for their annual sermons, together with a list of those additional sermons or occasional "Collations" for which members of the Residentiary Chapter and other Dignitaries and the Priest Vicars are held responsible.

The CUSTOMS of the Church of Salisbury are partly touched on in our annotations, but the bulk of them must

[1] Cf. p. 199 (cap. xx.), where the same *brocart*, or legal aphorism, is quoted with the addition of the qualifying word "*communiter*." As Dr. R. L. Poole informs us, the text "*Ut quod omnes similiter tangit ab omnibus comprobetur*" is found in Justinian, 5 Cod. tit. lix. 5 (1st Sept., A.D. 531). The phrase was doubtless familiar to the clergy of England in Bishop Roger de Mortival's time, as it was quoted in King Edward I.'s writ of summons to the clerical estate in 1295 (see Stubbs's *Select Charters*, p. 485), when Roger de Mortival was an Archdeacon in the diocese of Lincoln, and when he had recently been Chancellor of the University of Oxford.

be reserved for a supplementary volume, for which I have already made considerable collections from the Records with which our Church has been richly endowed by the care of generations past.

The present edition of the Statutes was undertaken at the suggestion of the Dean, seconded by other members of the Cathedral Body, more than four years ago. The task has in some respects been more difficult than was at first anticipated; for in the last few years there have been removed from us first one, and then others, on whose stores of knowledge and experience the present editors might otherwise have confidently relied.

The elimination of various misprints in the Latin text was an important help, but not the only good office of fraternal criticism and assistance of which the late Bishop's (Dr. JOHN WORDSWORTH'S) death, on the 16th of August, 1911, has unexpectedly deprived me. The friend who knew more about the records of Salisbury than any one now living,—one who was, moreover, the custodian of many of them, and of some of the MSS. of the Statutes in particular—ARTHUR RUSSELL MALDEN, M.A., F.S.A., died on the 22nd of October, 1913, at which time the present revised text and translation of the Statutes was ready for his perusal. We had previously discussed some passages of the Latin and the English together, but Mrs. Malden's death at the close of 1912, and his own broken health, prevented him from giving that sustained and consecutive attention to the work which otherwise he would have gladly devoted to it. For the more recent traditions and customs of the Cathedral Chapter we had among us, until a few months ago, *inter provectos chori*, two Residentiary Canons, endowed with specially clear memories, who were ready with a friendly courtesy to impart their recollections of the rules and practices of the Church of Salisbury, *pro memoria senum et informatione juvenum*. FRANCIS LEAR—Examining Chaplain, Prebendary, Chancellor, Precentor, Archdeacon of Sarum—who was born in 1823, died on the 19th of February, 1914. ELDON SURTEES BANKES, born in 1829, was a member of Synod, Prebendary of Yatesbury, and Canon Residentiary

at "Leadenhall," in the Close, where he died on the 1st of February, 1915. They, and such as they, "stood by us in past days, cheered us by their sympathy, and strengthened us by their example."

I should have been sorely tempted to lay aside altogether the task of preparing the present work, had I not found friends in need, now happily spared to us, to take the main burthen of rendering the greater part of the Latin Statutes into English at the time when my Brother's lamented death brought to me not only sorrow, but certain unforeseen and somewhat perplexing duties. Before I left Marlborough the Reverend WILLIAM HERMANN DAVID, Assistant Master at the College, had already most kindly undertaken for me the translation of seven and twenty chapters of the Code of 1319,[1] and I was then so fortunate as to find in one of my *confratres et concanonici*, the Reverend DOUGLAS MACLEANE, Prebendary of Bishopston and Proctor in the Convocation of the Province of Canterbury, a willing coadjutor, who continued the translation from the point already mentioned to the ending of the Latin Statutes, and who has otherwise helped me editorially. He wishes me to say, and I can do so with perfect justice, that if the reader finds the sentences of the English translation occasionally long-winded, involved, and clumsy, they are at any rate a great deal less so than the original. Fidelity to the Latin, rather than elegance, has been aimed at in our translations.

To my colleague, the Reverend ERNEST EDWARD DUGMORE, Succentor of Salisbury, I have been indebted for some valuable suggestions, while in several sheets—and I could wish that all the pages had been submitted to his careful revision—we have been saved from misprints (which were in danger of disfiguring my own section of our work), by the experienced eyes of the Reverend CHARLES TUNNACLIFF DIMONT, B.D., now Prebendary of Bricklesworth and Principal of Salisbury Theological College.

[1] Mr. David's work occupies the alternate pages from p. 135 to p. 211, line 11, though he is not responsible for the notes.

To the friends already named, as well as to the VERY REVEREND WILLIAM PAGE ROBERTS, D.D., the DEAN, and other members of the CHAPTER, who have helped and encouraged us, and not least to the Venerable THOMAS BOUGHTON BUCHANAN, *Custos Munimentorum*, as also to WILLIAM EDWARD BIGG, Esquire, Registrar, and JOHN JOSEPH HAMMOND, Esquire, the Chapter Clerk (who have given me free access to the Muniments of the Cathedral and the See), as well as to the printers, whose long-suffering patience I have severely tried, I take this opportunity of expressing cordial thanks.

Two personal friends of many years' standing, the Venerable HARRY WILLIAM CARPENTER, Precentor and Archdeacon of Sarum, and the Reverend HERBERT CROMWELL BUSH, successive Procurators of the Vicars Choral, have kindly allowed me to examine some of the early documents preserved by their community.

In concluding this Preface, I take the opportunity to record my obligation to the RIGHT REVEREND FREDERIC EDWARD RIDGEWAY, D.D., LORD BISHOP OF SALISBURY, who, among other kindnesses, has given me every facility for using two important Manuscripts of the Statutes ("*Tomus* 16," of the XIVth and XVth centuries, and Bishop T. Burgess' *Statuta, circa* 1825), of which my descriptions are reserved for a future volume, and with the earlier of which the former Editors were acquainted chiefly through the more modern transcripts.

CHR. WORDSWORTH.

ST. NICHOLAS' HOSPITAL,
SALISBURY.

DEO GRATIAS.

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recommend you, and all your affairs to the blessing of God Almighty, and remain Your very Loving Friend and Brother Tho: Cantuar." The articles relate (1-2) to reading the Act against profane swearing, and other Acts (3 Jac. I. c. 1, and King's Letter of 1689); to (3) prayer before sermon and specifying the King's titles and praying for "The Bpps as such"; (4) afternoon sermon upon catechetical heads; (5) examining presentees and preventing simony and bonds of resignation; (6) stipends of curates; (7) dilapidations; (8) terriers; (9) surrogates; (10) letters of commendation inter-diocesan; (11) as noted above. Although it is entered in one of the MSS. of Statutes, this Letter from Archbishop Tenison, as it has been twice printed by Cardwell, seems hardly to require a place in our collection.

[1] Mr. Walter K. Hamilton (Precentor and Canon Residentiary of the Cathedral Church of Salisbury, and Chaplain to Dr. E. Denison, the Bishop of Salisbury) addressed *A Letter to the Very Rev. the Dean of Salisbury* (H. Parr Hamilton, who was not his kinsman), on the subject of the *Cathedral Commission*, 16th April, 1856, which was printed in 8vo, pp. 36, by James Bennett, and published by Rivingtons, Parker and G. Brown in 1853.

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PART II.—THE CUSTOMS

*** Several of the CUSTOMS of Salisbury Cathedral have been mentioned in the Statutes collected in this volume, or have been appended where the text of these Statutes required it, in foot-notes or otherwise. But as these notes are not exhaustive, and as more Customs than we could include in the present volume have called for notice, it is proposed to devote a separate volume to "CUSTOMS OF SALISBURY CATHEDRAL CHURCH."

CHR. W.

ST. NICHOLAS' HOSPITAL,
SALISBURY,
March, 1915.

AN OBIT KALENDAR

OF

SALISBURY CATHEDRAL CHURCH

CIR. 1420–50

We owe to the late Mr. A. R. Malden a transcript of the xvth-century MS. of the Obit List of Salisbury Cathedral.[1] It appears prefixed to our late xivth-century copy of Salisbury Statutes and Miscellanea usually known as "the Bishop's copy of the Statutes." It is the volume which Seth Ward, in his *Notitia*, described as "a black book,[2] belonging to the Dean." It bears on the first leaf the distinctive mark "St.[3] Tomus 16," and is the "Old Statute Book." We commonly designate it by the letter "E." in the present volume, where it is our principal MS. authority for the main bulk of our text. There is a xviiith-century transcript of it in the book called "Constitutions, &c," in the Cathedral Muniment Room (Press II. cupboard 3, *supra*).

The earliest obit which we have identified in the list is that of St. Osmund, December 4th, 1099; and the latest Bishop of Salisbury who is named there is Ro. Hallum, who died at the Council of Constance, September 3rd, 1417. His successor, J. Chandler, who died July 16th, 1426, is not commemorated. One or two rather

[1] Mr Malden traces the handwriting of this Obit List elsewhere down to October, 1451. He observes that the occurrence of St. David at March 1st seems to show that the Kalendar was written, in all probability, subsequently to the introduction of some new feasts (those of SS. David, Chad, John of Beverley's deposition, and his translation, translation of Nicholas, Anne, Crispin, and Crispinian, Winifred, and Corpus Christi) of which the Treasurer complained, *cir.* 1453, as adding to his statutable liabilities (*Burgh Reg.*, p. 53).

[2] Hence in the preface to *Sarum Charters* (1891) this Statute Book has been called *Liber Niger*, a title usually reserved at Salisbury for Bishop Beauchamp's book.

[3] "St.," *i.e.* Statutorum.

later obits, such as S. Sydenham, Bishop of Chichester, January 30th, 1438, Cardinal Beaufort, April 12th, 1447, and Walter Lord Hungerford, August 8th, 1449, were added probably some years after the book was finished, and we need not doubt that it was practically completed some time before the establishment of Ri. Beauchamp's obit in 1481. Otherwise some notice must surely have been taken of it. The names of N. Upton (July 21st) and W. Ingram (September 27th) occur, as those of men living at the time. The former (a heraldic writer of some repute) was Precentor in 1446–57, the latter died in 1464. The entry "Circestre" appearing as a marginal addition at February 19th, probably refers to T. Circester, Preb. of Lyme, a benefactor to the Cathedral Library, who died in 1453. On the supposition that his death occurred shortly after the list was first written, we may date it in its original state as about 1446–52. The kalendar of festivals to which double commons are assigned evidently was of earlier *origin* than the middle of the xvth century; or St. Anne's Day, which was instituted with triple invitatory in 1383, would surely have been noted on July 26th. Similarly in the memorial lines, showing the order in which Saints' Days occur in each month, we find here no notice taken of such days as the Transfiguration, Holy Name, St. Winifred, St. Osmund and St. Anne, which were all fully established in the last quarter of the fifteenth century. St. Anne is mentioned in the memorial lines at the foot of the page for July, although not in the text of the Kalendar itself.

We have introduced [within square brackets] some indications of the holy days from the ordinary Salisbury Kalendar, sufficient to account for the special allowances of "wine" and "double commons," &c., in the text; and in like manner we insert all the notes which Leland preserved in his *Itinerary* of 1535–43, as "*Things excerpted out of the* Martyloge Booke *at* Saresbyri," a book which has long since disappeared. See the edition by Miss L. Toulmin Smith, 1906–1910, i. pp. 265–6.

JANUARIUS.

1	A	Kal. Jan.	[Circumcisio dñi minus duplex, ix lectiones.] *Duplex*
2	b	iiij Non.	[*communa cum vino; et dies sequele.*
3	c	iij Non.	
4	d	Prid. Non.	Obitus Walteri [de la Wyle] episcopi [1271][1] de communa. Canonico xij d.; vicario vj d. pro ecclesia de Sutton.
5	e	Non.	("Obitus Walteri Walrond, qui dedit terram de Est Deona ad communitat' ecclesie." *Marty.*)
6	f	viij Id.	[Epyphania Dñi, festum principale duplex, ix lec.] *Duplex communa cum vino, et dies sequele.*
7	g	vij Id.	Obitus Herberti episcopi [1217];[2] de communa. Ca-
8	A	vj Id.	[nonico vj d.; vicario iij d.
9	b	v Id.	
10	c	iiij Id.	
11	d	iij Id.	
12	e	Prid. Id.	
13	f	Id.	
14	g	xix Kal. Feb.	Obitus Radulphi de Eboraco [Cancellarij, 1309], de redditu in ciuitate. Canonico vj d.; vicario ij d.
15	A	xviij Kal.	Obitus Nicholai de Eboraco, de priore de Brommour, persone ii s. Canonico xij d.; vicario vj d.
16	b	xvij Kal.	
17	c	xvj Kal.	Obitus Willelmi Braybrok [*cir.* 1329], de domibus Paslew. Canonico vj d.; vicario iij d.; residuum celebrantibus.
18	d	xv Kal.	*Sol in Aquario.*
19	e	xiiij Kal.	
20	f	xiij Kal.	
21	g	xij Kal.	
22	A	xj Kal.	[Vincentii martyris, nouem lectiones.] *Duplex com-*
23	b	x Kal.	[*muna.*
24	c	ix Kal.	
25	d	viij Kal.	[Conuersio sancti Pauli. Inuitatorium triplex, ix lec.]
26	e	vij Kal.	[*Duplex communa.*
27	f	vj Kal.	
28	g	v Kal.	
29	A	iiij Kal.	Obitus Johannis Upton, et Rad. Querindon [archd. Wiltes, *cir.* 1338], per vicarios; canonico vj d.
30	b	iij Kal.	("Obiit Serlo, decanus Sarum, et postea abbas Cirencestrie." *Martyrol.*)
31	c	Prid. Kal.	Obitus Willelmi Episcopi ("Wilton" *interlin.*) [1256][3] de Communa. Canonico vj d.; vicario iij d. Item obitus Symonis Sidenham [decani; Ep. Cicestr. ob. 1437–8].

Cisio Jan. Ed. Epi. Lucianus et Hil. Fe. Maur. Mar. Sul.
Pris. Vul. Fab. Ag. Vin. Pete Pauli Jul. Agne Batildis.*

* (These memorial lines are intended to tell the order in which the holy days succeed one another: The Circumcision in *Jan*uary, St. *Ed*ward K., *Epi*phany, *Lucianus* and *Hil*ary, *Fe*lix, *Maur*us, *Mar*cellus, *Sul*pice, &c., &c.)

[1] Walt. de la Wyle, Ep. Sar. "qui fundauit ecclesiam Conuentualem S. Edmundi" (*Martyrol.*). According to Canon Rich Jones, the actual day of Bishop Walter's death was one day earlier, Jan. 3rd. (See *Fasti Sarisb.*, p. 90.)

[2] Feb. 6th is given as the date of Herbert Poore's death (*ibid.*, p. 85).

[3] William of York is here called "Wilton," possibly because of some connection with that place, at which he was consecrated.

Februarius.

1	d	Kal. Feb.	
2	e	iiij Non.	[*Purificatio beate Marie, maius duplex, ix lec.*] *Duplex communa cum vino, et est dies sequele.*
3	f	iij Non.	
4	g	Prid. Non.	
5	A	Non.	("Gualterus primus decanus Sarum" (*cir.* 1091–1101), *Mart.*[1])
6	b	viij Id.	
7	c	vij Id.	
8	d	vj Id.	
9	e	v Id.	Obitus Roberti Herford [decani, 1257] per abbatissam Wilton. Canonico iij, d.; vicario, j d. Residuum fratribus.
10	f	iiij Id.	
11	g	iij Id.	
12	A	Prid. Id.	
13	b	Id.	Obitus Jacobi Hafount, de cv s. in uilla. Residuum Canonicis. Item eodem die, de domibus; canonico, ij d.; vicario, j d. (per *clericum operum.*)
14	c	xvj Kal. Mar.	
15	d	xv Kal.	
16	e	xiiij Kal.	Obitus Henrici [de Braundeston] Episcopi [1287–8][2] de xvj s. de domibus... Canonico, iiij d.; vicario, ij d. Residuum celebrantibus.
17	f	xiij Kal.	
18	g	xij Kal.	
19*	A	xj Kal.	*["Circestre" *marginal addition by the rubricator.*]
20	b	x Kal.	
21	c	ix Kal.	
22	d	viij Kal.	"Asbertus decanus" (*cir.* A.D. 1102). *MS. Cotton Vesp.* E. 5, p. 12.
23	e	vij Kal.	
24	f	vj Kal.	
25	g	v Kal.	
26	A	iiij Kat.	
27	b	iij Kal.	
28	c	Prid. Kal.	

Brig. Pur. Blas. et A. Ve. Februar. Scolastica, Valent.
Iul. coniungetur cum [Cath.] Pet. Math. societur.

[1] The day of the obit of Walter the first Dean is left uncertain by Leland, *Itin.*, i. p. 265, ed. 1910, but it seems to have been entered in the *Martyrology* somewhere between Jan. 30th and Apr. 12th.

[2] In *Fasti Sarisb.*, "*Jan.* 18, festum Cathedrae Petri" is given as the actual date of H. de Brandeston's death. St. Peter's Chair in Antioch is on February 22nd in the Sarum Kalendar. St. Peter's Chair at *Rome* is generally assigned to Jan. 28th. However, in the early Kalendar of the monastery of St. Cyriac, and in the Gallic Kalendar, *Cathedra S. Petri Antiochiae* is put on Jan. 17th (Hampson's *Kalendarium*, ii. 42).

Marcius.

1	d	Kal. Mar.	[Dauid' epi. et conf. ix lectiones.) Obitus W. Salton [preb. 1354][1] de domibus. Canonico iij d.; vicario ij d.; pro missa S. Dauid, inter canonicos vj s. viij d.
2	e	vj Non.	Obitus Iohannis Gogh [preb. *cir.* 1350] inter canonicos presbiteros v s. de redditu in ciuitate et alta aula.
3	f	v Non.	Obitus Roberti Fi[tz]payn,[2] fiet cum precedentibus.
4	g	iiij Non.	
5	A	iij Non.	["Arestaldus sacerdos, aduunculus S. Osmundi." *Marty.*][3]
6	b	Prid. Non.	
7	c	Non.	
8	d	viij Id.	
9	e	vij Id.	
10	f	vj Id.	Obitus Johannis Salisbury,[4] de domibus Succentoris,
11	g	v Id.	[canonico . . .
12	A	iiij Id.	
13	b	iij Id.	
14	c	Prid. Id.	Obitus Rogeri Episcopi Mortivall [1328–9] cum communa, iiij s. inter Canonicos presentes. Vicario, iij d.
15	d	Id.	Obitus Rogeri Kyngton [Archid. Sarum, 1361] per com-
16	e	xvij Kal. Apr.	[munitatem Vicariorum.
17	f	xvj Kal.	
18	g	xv Kal.	
19	A	xiiij Kal.	
20	b	xiij Kal.	
21	c	xij Kal.	
22	d	xj Kal.	
23	e	x Kal.	
24	f	ix Kal.	
25	g	viij Kal.	[*Annunciatio dominica.* minus duplex, ix lec.] *Duplex*
26	A	vij Kal.	[*communa cum vino, et est dies sequele.*
27	b	vj Kal.	
28	c	v Kal.	
29	d	iiij Kal.	
30	e	iij Kal.	
31	f	Prid. Kal.	

Da. Ced. et Mar. nona Perpetueque, Gregorij pape.
Edward. Cut. Benedic. et matris sanctificate.

Dies Cene, Parasceues, et vigilia Pasche sunt dies sequele.

Dies Pasche cum tribus diebus sequentibus est dies sequele: et primi duo, cum vino.

Dominica in albis est duplex communa cum vino, et dies sequele.

[1] W. de Salton, Preb. of Yatesbury, and of Combe and Harnham, 1320–54.

[2] Possibly one of the Barons Fitz-payne (who died respectively *cir.* 1220, 1315, 1354, 1570) is here intended.

[3] The exact date of the obit of St. Osmund's uncle *Arestaldus* is not recorded by Leland, *Itin.*, i. 266.

[4] The learned and famous Bishop of Chartres, who was born at Old Sarum, is said to have died on 25th October, in 1182, so he can hardly be the John of Salisbury here commemorated.

Aprilis.

1	g	Kal. Apr.	Obitus comitis Cornubie, de gardino de Mer', vicario ij d. Residuum Canonicis.
2	A	iiij Non.	Obitus Symonis [de Gandauo] Episcopi [1315], de domi-
3	b	iij Non.	[bus . . .; vicario, ij d. Residuum Canonicis.
4	c	Prid. Non.	
5	d	Non.	
6	e	viij Id.	
7	f	vij Id.	
8	g	vj Id.	
9	A	v Id.	
10	b	iiij Id.	
11	c	iij Id.	Obitus patris et matris Ro. Byngham [*cir.* 1230], de xxiiij s. de priore de Merton; vicario, iiij d. Residuum Canonicis.
12	d	Prid. Id.	Obitus Henrici Beauford Episcopi Winton [1447],[1] in fabrica. Vicario, viij d.; residuum canonicis. ("Per *Clericum* operum," *margin.*)
13	e	Id.	Obitus Helie Duram [1245][2] ("canonici Sar. qui a prima fundacione Rector fuit noue fabrice eccl. Sar. xxv. annis." *Marty.* "Henricus de Winterburn dedit in Commune Ecclesie Sar. decimas de dominico suo de Winterburn." *Ibid.*)
14	f	xviij Kal. Mai.	
15	g	xvij Kal.	
16	A	xvj Kal.	
17	b	xv Kal.	
18	c	xiiij Kal.	
19	d	xiij Kal.	
20	e	xij Kal.	
21	f	xj Kal.	
22	g	x Kal.	
23	A	ix Kal.	
24	b	viij Kal.	(? "Obitus Roberti Wykehampton episcopi Sar." *Marty.* s. d. 28 Ap. A.D. 1284.)
25	c	vij Kal.	[*Marci euangeliste.* inferius duplex. iij lect.] *Duplex*
26	d	vj Kal.	[*commuua.* [*Letania maior. Vltimum pascha.*]
27	e	v Kal.	
28	f	iiij Kal.	[*Vitalis martyris.* iij. lect. cum regimine chori.] *Duplex communa cum vino pro incoacione† ecclesie Sarum* [A°. Dni. 1220].[3]
29	g	iij Kal.	
30	A	Prid. Kal.	

Ecce Ric. Ambrosij festum dat Aprilque Tiburti.
Et post Alphegique Geor. Marcique Vitalis.

[1] Cardinal Beaufort had been Preb. of Horton, 1397, but was succeeded in that stall (possibly in 1404) by Nic. Daniel, who died in 1424.

[2] Elias Derham, Preb. of Lavington and Pottern, *cir.* 1226, was a great friend of Bishop Poore, and accompanied him to Durham. He built Leadenhall (*aulam plumbeam*) in the Close at Salisbury, and was architect of the Cathedral church. (See *Osmund Reg.*, i. 330, 339; ii. 22, 25, 26, 44, 60, 63, 108. *Fasti Sarish.*, 192, 410.) Becket's shrine at Canterbury, the King's Hall at Winchester, and works at Wells, Lincoln, &c., are attributed to his skill. *Harrow Octocentenary Tract*, xii., by W. Done Bushell, Camb., 1906.

[3] See *Osmund Reg.*, ii. 12, "Anno gracie mccxx°, die uidelicet beati Vitalis martiris, qui tunc erat iiij Kal. Maij, iactum fuit fundamentum noue ecclesie Sarum."

Mayus.

1	b	Kal. Mai.	
2	c	vj Non.	
3	d	v Non.	[*Inuentio S. Crucis*, minus duplex. iij lec. memoria de Alexandro, &c.] *Duplex communa cum vino, et est dies sequele.*
4	e	iiij Non.	
5	f	iij Non.	Obitus Ricardi Medford [1407] de fabrica Ecclesie: persona iiij s. Canonicus, ij s.; vicarius, xij d.; persona celebrans, xij d.
6	g	Prid. Non.	
7	A	Non.	
8	b	viij Id.	
9	c	vij Id.	("Obiit Hubertus de Burgo, justiciarius Anglie." [A.D. [1242.] *Marty.*)
10	d	vj Id.	
11	e	v Id.	
12	f	iiij Id.	
13	g	iij Id.	
14	A	Prid. Id.	
15	b	Id.	
16	c	xvij Kal. Jun.	
17	d	xvj Kal.	
18	e	xv Kal.	Obitus Nicholai Langespe Episcopi [1297]. Canonico, xij d.; vicario, vj d. de xx^{ti} marcis per abbatem de Milton.
19	f	xiiij Kal.	Obitus Willelmi Langespe, comitis Sarum [1226], de predictis. Canonico, iiij d.; vicario, ij d.
20	g	xiij Kal.	
21	A	xij Kal.	["Obiit Galfridus Dispensator, uir nobilis." *Marty.*]
22	b	xj Kal.	["Ernulphus falconarius, dedit ii. prebendas ecclesie
23	c	x Kal.	[Sarum."[1] *Marty.*]
24	d	ix Kal.	
25	e	viij Kal.	
26	f	vij Kal.	
27	g	vj Kal.	
28	A	v Kal.	
29	b	iiij Kal.	Obitus Willelmi Bere, de x s. per fabricam, pro domo angulari iam prostrata. Canonico, ij d.; vicario, ij d.
30	c	iij Kal.	("Hac die electus est Hubertus episcopus Sarum in archiepiscopum Cantuariensem." A.D. 1193. *Marty.*)
31	d	Prid. Kal.	

Philip. Crux May Jo. latina, Gordi. Nereique,
Postea Dunstani sequitur, Al. August. Germani Pe.

Festum Ascensionis Domini, Pentecostes cum tribus diebus sequentibus, festum Trinitatis et festum Corporis Christi habent duplicem communam cum vino, exceptis iij^{bus}. Et sunt dies sequele, cum vigilia Pentecostes.

[1] It appears from two confirmatory documents, *circ.* 1118–20, in the *Osmund Register*, i. p. 383, that Ernulf, or Arnulph, the Falconer, gave (with his son G.) a prebend, in the time of Bishop Osmund, from demesne lands granted by the Conqueror for his service. Also, another prebend, given with another son, Humphrey. This property constituted the prebends of Swinbrook and Shipton-under-Wychwood (Oxon.), and Bricklesworth (Brixworth, Northampton) with Uffcot (N. Wilts.). *Osm. Reg.*, i. 196, 201, 204, where, however, *Arnald*, or Hernald, the Falconer (or Mower, *falcarius*) is named. Uffcot was transferred later to another prebend. *Sarum Charters*, pp. 104, 124, 126.

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Junius.

1	e	Kal. Jun.	
2	f	iiij Non.	
3	g	iij Non.	
4	A	Prid. Non.	
5	b	Non.	Obitus...
6	c	viij Id.	Obitus Roberti Beaueir [*c.* 1253][1] de xxvj s. viij d. in Communa pro Diringtou, Canonico, xij d.; vicario, iiij d.
7	d	vij Id.	Obitus Henrici de la Wile [Cancellarij, 1329], de xlvj s. viij d. de domo angulari; Canonico, viij d.; vicario, iiij d.
8	e	vj Id.	Obitus Simonis Mygham [Decani, 1297], de iiij^{or} mansionibus, &c. xx s. Canonico, iiij d.; vicario, ij d.
9	f	v Id.	[*Translacio Edmundi Mart.* inuitatorium triplex, ix lec.]
10	g	iiij Id.	[*Duplex communa.*
11	A	iij Id.	
12	b	Prid. Id.	
13	c	Id.	
14	d	xviij Kal. Jul.	
15	e	xvij Kal.	
16	f	xvj Kal.	
17	g	xv Kal.	Obitus Johannis Darcy, de Communa. Canonico, iiij
18	A	xiiij Kal.	[d.; vicario, ij d.
19	b	xiij Kal.	Obitus Roberti de Leycestre, de vac*ua* placea, Canonicis [et vicarijs tantum quantum xx s.
20	c	xij Kal.	
21	d	xj Kal.	
22	e	x Kal.	[Albani prothomartyris, ix lec.] *Duplex communa.*
23	f	ix Kal.	Obitus Helie de Sancto Albano [Cancellarij, 1355], de xxvj s. viij d. per Capitulum. Canonico, vj d.; vicario, iij d.
24	g	viij Kal.	[*Natiuitas S. Johannis Bapt.* minus duplex, ix lec.] *Duplex communa cum vino, et est dies sequele.*
25	A	vij Kal.	
26	b	vj Kal.	
27	c	v Kal.	
28	d	iiij Kal.	
29	e	iij Kal.	[*Apostolorum Petri et Pauli*, minus duplex, ix lec.] *Duplex communa cum vino, et est dies sequele.*
30	f	Prid. Kal.	[*Commemoracio S. Pauli*, inuitatorium triplex, ix lec.] Duplex communa.

Nic. Mar. Heras.[2] Bonifas. Med. Edmund Bar. Basi. Bar. Vi.
Ricard. Mar. Ger. Edward. Al. Eth. Jo. Bap. Jo. Pau. Le Pe. Pau.

[1] Rich Jones, in his *Fasti*, gives the name as "Beauner," Prebendary of Chute and Chisenbury. Mr. Malden thinks the name as written in MS. may be read as "Beaueir."

[2] St. Erasmus does not find a place in the service books and authoritative kalendar of Sarum Use, though he occurs in *Horae*, and was a popular saint. His *cultus* came up *cir.* 1485–90. (See H. Bradshaw's *Collected Papers*, p. 429, and a curious note on the various spellings of the name of St. Erasmus (about 30 varieties in 64 entries in a Churchwardens' Book at Cambridge, *cir.* 1504–30), *ibid.*, pp. 350–3.) His life was not included in the first edition of Caxton's *Golden Legend* (1483), but was printed as a supplement in 1487. (See *Temple Classics* reprint, vii. 267–73.)

JULIUS.

1	g	Kal. Jul.	Obitus N. de sancto Quintino [*cir.* 1265][1] de redditu in villa: persona, ij s. Canonicus, xij d.; vicarius, vj d.
2	A	vj Non.	
3	b	v Non.	
4	c	iiij Non.	
5	d	iij Non.	
6	e	Prid. Non.	Obitus Nicholai subdecani [? 1341][2] de redditu in uilla: canonico, iij d.; vicario, ij d.
7	f	Non.	[Translacio S. Thome mart. ix lec.] *Duplex communa, cum vino, et est dies sequele.*
8	g	viij Id.	[Dominica j post festum translationis S. Thome celebretur festum reliquiarum.]
9	A	vij Id.	*Memorandum quod festum reliquiarum est duplicis commune cum vino, et dies sequele.*[3]
10	b	vj Id.	Obitus Johannis Nugge [*cir.* 1357].[4] de x s. per fabricam: inter canonicos presentes, iiij s.; vicario, j d. ("Per clericum operum" *margin.*) Idem fiet in festo Corporis Christi, et in festo xj milium Virginum.
11	c	v Id.	
12	d	iiij Id.	
13	e	iij Id.	("Ob. Huberti, episcopi Sarum, Archiep. Cantuar." *Marty.*)
14	f	Prid. Id.	Obitus Thome Forde, de domibus. Canonico, ij d.; vicario, j d.
15	g	Id.	"Hardingus, primus thesaurarius ecclesie Sar." *Marty.*
16	A	xvij Kal. Aug.	"Berbertus" (Gerbert., *al.* Gilbert.) de Percy dedit prebendam de Cerdestoke ecclesie Sar." *Marty.*
17	b	xvi Kal.	
18	c	xv Kal.	Obitus Thome Hotoft [Archid. Dorset, 1339], de domo Chorustarum,† canonico, iij d.; vicario, j d.
19	d	xiiij Kal.	Obitus W. Teinturer et Ymayne.[5] Canonicis presentibus, xl s.; vicario, vj d.
20	e	xiij Kal.	
21	f	xij Kal.	Obitus Alexandri Hemyngby [1334] de domibus Nicholai Upton. Canonicis, iiij d.; vicario, ij d.
22	g	xj Kal.	[Marie Magdalene, inuitatorium duplex, ix. lec.] *Duplex communa.*
23	A	x Kal.	Obitus Netherhauen,[6] de xxvj s.; vicario, iiij d.; residuum canonicis presentibus.
24	b	ix Kal.	Obitus Wateri Benett, de redditu in villa; vicario, ij d.; residuum canonicis presentibus.
25	c	viij Kal.	[*Jacobi apostoli* inferius duplex, ix lec.] *Duplex communa.*
26	d	vij Kal.	
27	e	vj Kal.	
28	f	v Kal.	
29	g	iiij Kal.	
30	A	iij Kal.	
31	b	Prid. Kal.	

Jul. matris, Martini, trans: Thome, Fra. Benedicti.
Swithin. Ken, Arnulph. Mar. Prax. Mag. Ap. Christ. Jac. An. dor Sam. Fel. Ab. Ger.

[1] For the obit of Nicholas de St. Quentin, see Macray's *Sarum Charters*, p. 341.

[2] Rich Jones identifies this Subdean with Nicholas de "Wyke," *i.e.* Wyle, 1341. Would not *N. de Laking, cir.* 1260, be more probably intended? N. de Wyle's obit was in *September*.

[3] The *Festum Reliquiarum* at Salisbury was the Sunday falling between July 7th—15th, both exclusive.

[4] A chantry of "J. Nugys" was founded at the altar of St. Thomas the Martyr, 28th Mar. 1357.

[5] A mass for the soul of W. Teyntrell was said at St Margaret's altar in 1472.

[6] The obit of Ric. de Netheraven, who died in 1350, appears to have been transferred to July 23rd from Lady Day, which was the time of his actual demise.

Augustus.

1	c	Kal. Aug.	[*Ad uincula S. Petri*, inuitatorium triplex, ix lec.] *Duplex communa.*
2	d	iiij Non.	
3	e	iij Non.	[*Inuentio S. Stephani* prothomartiris, ix lec.] *Duplex communa.*
4	f	Prid. Non.	
5	g	Non.	
6	A	viij Id.	*Obitus Thome Aylwarde* [preb. 1412].[1]
7	b	vij Id.	
8	c	vj Id.	Obitus dni Walteri de Hungerford [1449].[2] Canonico, xx d.; vicario [. . .].
9	d	v Id.	
10	e	iiij Id.	[*Laurentij martyris*, inuitatorium triplex, ix lec.] *Duplex communa.*
11	f	iij Id.	Obitus Thome Rupton [*cir.* 1285].[3]
12	g	Prid. Id.	
13	A	Id.	
14	b	xix Kal. Sep.	Obitus Henrici Cessun [*leg.* "Tesson" Archid. Bathon, 1240]. ("canonici, qui impetrauit translacionem ecclesie Sarum." *Marty.*)
15	c	xviij Kal.	[*Assumptio B. Marie V.*, maius duplex, et principale.]
16	d	xvij Kal.	[*Duplex communa cum vino, et est dies sequele.*
17	e	xvj Kal.	("Robertus cementarius rexit per xxv annos." *Marty.*]
18	f	xv Kal.	("Alicia Bruer contulit huic ecclesie totum marmor ad
19	g	xiiij Kal.	[nouam fabricam per xii annos." *Marty.*[4])
20	A	xiij Kal.	
21	b	xij Kal.	
22	c	xj Kal.	[*Octaue S. Mariae*, ix lec., memoria de sanctis. *Duplex communa cum vino, propter sequenciam* "Aue preclara."[5]
23	d	x Kal.	
24	e	ix Kal.	
25	f	viij Kal.	Obitus Johannis Holtibi de Hurst [*cir.* 1260].[6] Canonico, vj d.; vicario, iij d.
26	g	vij Kal.	
27	A	vj Kal.	
28	b	v Kal.	[*Augustini episcopi et doctoris*, inuitatorium duplex, ix
29	c	iiij Kal.	[lec.] *Duplex communa.*
30	d	iij Kal.	
31	e	Prid. Kal.	

Pe. Ste. Stephan. Os. Six. Do.[7] Ci. Ro. Lau. Tibur. Ip. Eu.
Sumpta dat Ag. Magnus, et octa. Bartholo. Ruf. Aug. Io. Fe. Cuth.

[1] The accounts of the Clerk of the Works in 1464 gives Aug. 3rd for Aylesward's obit. In our MS. it is entered in red ink. The reader may observe that the *Nova Festa* of the Transfiguration and the Most Holy Name (instituted in 1456 and *cir.* 1490) find no recognition here on Aug. 6th and 7th as "*Duplex Communa.*"

[2] Walter, first Lord Hungerford, is said to have died on Aug. 9th.

[3] I suppose this to be the same as "T. de Ripton" Preb. of Beaminster Prima, mentioned in *Fasti Sarisb.*, p. 357.

[4] For Alice Bruer, see *Salisbury Processions*, p. 30, *n.*

[5] The sequence "*Ave preclara maris stella.*" (See *Missale Sarum*, p. 879.)

[6] J. Holtby was the first Warden of the College of St. Nicholas de Valle.

[7] The mention of St. Donatus "qui fractum calicem orando restituit" is noticeable in these memorial lines. His name appears on Aug. 7th (now occupied by the Holy Name) in the Breviary Kalendar of 1519, 1526, and the Enchiridion of 1530, but not in the Sarum services themselves.

September.

1	f	Kal. Sep.	
2	g	iiij Non.	Obitus Roberti Carvile [Thesaurarij, 1267], per Litelton Drew.
3	A	iij Non.	Obitus Roberti Halum Episcopi [ad Concil. Constant. 1417], per Stratford.
4	b	Prid. Non.	Obitus Herberti de Bedwynd [preb. *cir.* 1245]. Canonico, iij d.; vicario, j d.
5	c	Non.	Obitus Nicholai de la Wile [precentoris, 1341], de xxxiij s. iiij d. per Communarium; pro domibus. Canonico, iiij d.; vicario, ij d.
6	d	viij Id.	Obitus Roberti de Bluntiston [subdecani, 1321], de xxvj s. viij d. de domibus ad portam australem. Canonico, vj d.; vicario, iiij d.
7	e	vij Id.	
8	f	vj Id.	[*Natiuitas B. Marie*, maius duplex, ix lec.] *Duplex com-*
9	g	v Id.	[*muna cum vino, et est dies sequele.*
10	A	iiij Id.	
11	b	iij Id.	
12	c	Prid. Id.	
13	d	Id.	
14	e	xviij Kal. Oct.	[Exaltatio S. Crucis, minus duplex, ix lec.] *Duplex Communa cum vino, et est dies sequele.*
15	f	xvij Kal.	[*Octa. B. Marie*, inuitatorium triplex, ix lec.] *Duplex Communa cum vino*, propter sequenciam "Ave pre-
16	g	xvj Kal.	[clara."[1]
17	A	xv Kal.	Obitus Johannis Waltham Episcopi [1395], de fabrica.
18	b	xiiij Kal.	[Canonico, ij s.; vicario, xij d.[2]
19	c	xiij Kal.	
20	d	xij Kal.	("Ob. Walteri de la Wyle Episcopi Sar., qui sepultus est ad altare S. Edmundi." † 4 Jan. 1271. *Marty.*)
21	e	xj Kal.	
22	f	x Kal.	
23	g	ix Kal.	Obitus dni Walteri Scamel Episcopi [1286].[3] ("thesaurarii, decani, et postea episcopi Sar." *Marty.*)
24	A	viij Kal.	Obitus Rogeri Clown,[4] per Capellanum cantarie sue.
25	b	vij Kal.	
26	c	vj Kal.	
27	d	v Kal.	Obitus Henrici de Blontiston [Archid. Dorset, 1316], de domibus W. Ingram.[5] Canonico, vj d.; vicario,
28	e	iiij Kal.	[iij d. Residuum celebrantibus.
29	f	iij Kal.	[*Michaelis archangeli*, inferius duplex, ix lec.] *Duplex communa cum vino, et est dies sequele.*
30	g	Prid. Kal.	[Hieronymi presbiteri et doctoris, inferius duplex, ix lec. Festum Dedicacionis Ecclesie Cathedralis Sarum.[6]] *Duplex Communa cum vino, et est dies sequele.*

Egidi. Cuthberti et Nat. Gorgo. Prothique Exal.
Ed. Lambert. modo Math. Mau. Tecle, Fir. Cip. Cosme, Mic. Jer.

[1] The sequence "Ave praeclara" is in the *Sarum Missale*, p. 879.

[2] The accounts of the Clerk of the Works in 1464 and 1474 give the *morrow* of St. Lambert for Waltham's obit.

[3] Rich Jones gives Sept. 20th as the actual day of Bishop Walter Scammel's decease (*Fasti Sarisb.*). That is the date given by Leland on the authority of *Marty.*

[4] Roger Clown appears as a Canon residentiary, *cir.* 1350 (Hutchins' *Dorset*, iv. 447.)

[5] Mr. Malden observes that W. Ingram was Canon of Salisbury 1427–1463, and that the MS. was probably written about that time, when he was living at Salisbury in the episcopate of Bishop Beauchamp. He appears to have been a residentiary, and held the office of Communar in 1456.

[6] *Processions*, p. 11. Leland's excerpts from the Old Martyloge tell us under the month of September that "Nova Ecclesia Sarum dedicata (fuit) A.D. 1258 a Bonifacio archiepiscopo Cantuar., presente Rege et Regina, tempore Egidii episcopi" (*Itin.*, i. 266).

October.

1	A	Kal. Oct.	
2	b	vj Non.	
3	c	v Non.	
4	d	iiij Non.	
5	e	iij Non.	
6	f	Prid. Non.	"Rogerus decanus," *cir.* 1140. MS. *Cotton Vesp.*, E. 5, f. 16.
7	g	Non.	[SS. Marci et Marcelliani. *Octa. Dedicationis Eccl. Cath. Sarum.*] *Duplex Communa.*
8	A	viij Id.	
9	b	vij Id.	
10	c	vj Id.	Obitus Willelmi Corner Episcopi [1291][1] de reddit. in uilla. Canonico, vj d.; vicario, iij d.
11	d	v Id.	Obitus Willelmi Edingdon [Ep. Winton, 1366], per Abbotesburye, de xx marcis. Canonicis presentibus liij s. iiij d. Vicario, xij d.
12	e	iiij Id.	Obitus W. Chaldefont [Archid. Wiltes. 1314],[2] de xiij s. iiij d. de domibus. Vicario, ij d. Residuum Canonicis.
13	f	iij Id.	[*Translacio S. Edwardi regis*, inferius duplex, iij lec.]
14	g	Prid. Id.	[*Duplex Communa cum vino, et est dies sequele.*
15	A	Id.	
16	b	xvij Kal. Nov.	
17	c	xvj Kal.	
18	d	xv Kal.	
19	e	xiiij Kal.	
20	f	xiij Kal.	
21	g	xij Kal.	Missa in mane in festo xj mil*lium*. Virg*inum*,[3] per Communarium.
22	A	xj Kal.	Obitus Helie de Summis. Canonico, . . .; vicario, . . .,
23	b	x Kal.	[de aula communi vicariorum.
24	c	ix Kal.	Obitus Petri Grundeuile [?1310],[4] de xx s., de domibus . . . de quibus canonicis et vicarijs tantum quantum.
25	d	viij Kal.	
26	e	vij Kal.	
27	f	vj Kal.	Obitus Galfridi Mylberne [*cir.* 1290],[5] de xvij s. Canonico,
28	g	v Kal.	[iij d.; vicario, ij d.
29	A	iiij Kal.	
30	b	iij Kal.	
31	c	Prid. Kal.	

Rem. Leodegar. Fid. Mar. Pe.[6] Dy. Ger. Nicas. Ed: [trans.] Ka.
Wul. Micha. Lu. Frid. et und. que Roma. Crispini, Symonis, Quint.

[1] Rich Jones gives Aug. 14th as the actual day of Bishop W. Corner's death.

[2] Probably W. Chaddleshunt. The Old Martyrology Book cited by Leland gives Oct. 11th as "Obitus Roberti Wyville episcopi Sarum," A.D. 1375. He is said to have died Sept. 14th, but that was occupied by Holy Cross Day.

[3] The XVIIth-century transcript has "*in festo Marie Virg.*" The reference, of course, is to the numerous company of St. Ursula. Was Hel. de Summis "Elias de Summing sacerdos," a tenant *cir.* 1220, mentioned in *Osmund Reg.*, i. 289–90?

[4] P. "de Gromville" Preb. of Bedminster and Redcliffe (*Fasti Sarisb.*, p. 361).

[5] Geoffrey Milbourne was a Canon residentiary.

[6] The reader will observe in these memorial lines the name of St. Pelagia, which does not occur in Sarum services (not even in the Litany), but is commemorated in York Use on Oct. 8th, and in Roman books.

NOVEMBER.

1	d	Kal. Nov.	[*Solemnitas Omnium Sanctorum*, maius duplex, ix lec.] *Duplex Communa cum vino, et est dies sequele.*
2	e	iiij Non.	[*Commemoratio defunctorum*, ix lec.] *Duplex Communa, et est dies sequele.*
3	f	iij Non.	Obitus Roberti Byngeham Episcopi [1246][1] de Communa. Canonico, vj d.; vicario, iij d. per Priorem de Merton. ("Et inuictus princeps Thomas de Monteacuto comes Sar." A.D. 1428. *Marty.*)
4	g	Prid. Non.	
5	A	Non.	
6	b	viij Id.	
7	c	vij Id.	
8	d	vj Id.	Obitus Willelmi Purvyor, de vij s., de domibus. . . . Canonico, ij d.; vicario, j d.
9	e	v Id.	
10	f	iiij Id.	
11	g	iij Id.	[*Martini Epi. et Conf.* inuitatorium triplex, ix lec.] *Duplex Communa cum vino.*
12	A	Prid. Id.	
13	b	Id.	
14	c	xviij Kal. Dec.	
15	d	xvij Kal.	
16	e	xvj Kal.	[*Depositio S. Edmundi Archiep.* inuitatorium triplex, ix lec.] *Duplex Communa cum vino.*
17	f	xv Kal.	
18	g	xiiij Kal.	Obitus Jocelini [de Bohun] Episcopi [1184].
19	A	xiij Kal.	
20	b	xij Kal.	[*Edmundi R. et M.*, ix lec.] *Duplex Communa cum vino.*
21	c	xj Kal.	Obitus Radulphi Cancellarij,[2] de prato de Mylford et Stok communiabus. Canonico, xij d.; vicario, vj d.
22	d	x Kal.	
23	e	ix Kal.	
24	f	viij Kal.	
25	g	vij Kal.	[*Katerine, V. M.*, ix lec.] *Duplex Communa.* Ad missam in mane, canonico, ij d.; vicario, j d. per Wallop.
26	A	vj Kal.	
27	b	v Kal.	Obitus Walteri Lake, de domibus succentoris; canonico, ij d.; vicario, j d.
28	c	iiij Kal.	
29	d	iij Kal.	
30	e	Prid. Kal.	[*Andree Apostoli*, inferius duplex, ix lec.] *Duplex Communa, et dies sequele.* Memorandum quod prima dominica Aduentus Domini est duplicis commune cum uino.

Omn. animasque,[3] Leo. Qua. Theo. Martin. Brici, Mac. Ed.
Hugo, rex Edmundus, Ce. Clem. Gris. Ka. Linique, Sat. And.

[1] Rich Jones gives Nov. 2nd as the day of Bishop Ro. Bingham's death.

[2] Ralph the Chancellor died *cir.* 1200. It seems, however, possible that one of his eminent successors, Ralph Hecham or Hegham (who died in 1274), may be the one here intended. "Stok commons" must refer to lands at Laverstock on the property of the "communa" of the Church of Sarum.

[3] The reader may notice that St. Winifred, whose festival was prescribed for Nov. 3rd in 1415, is not noticed in these lines.

December.

1	f	Kal. Dec.	
2	g	iiij Non.	
3	A	iij Non.	
4	b	Prid. Non.	Obitus Osmundi Episcopi, fundatoris ecclesie [1099],[1] de Communa, v s. in pane.
5	c	Non.	
6	d	viij Id.	[*Nicolai episcopi et confessoris*, inuitatorium triplex, ix lec.] *Duplex Communa.*
7	e	vij Id.	
8	f	vj Id.	[*Conceptio B. Marie*, minus duplex, ix lec.] *Duplex communa cum vino, et est dies sequele.*
9	g	v Id.	
10	A	iiij Id.	
11	b	iij Id.	Obitus Rogeri Episcopi [1139], fiet de communa, de v s.
12	c	Prid. Id.	[in pane.[2]
13	d	Id.	Obitus Egidij [de Bridport] Episcopi [1262], per scolares de valle.[3] Canonico, vj d.; vicario, iij d. ("Ricardus comes de Cornubia, rex Romanorum, dedit gardinum ecclesie." *Marty.* Obiit, 2 Apr. 1272.)
14	e	xix Kal. Jan.	
15	f	xviij Kal.	
16	g	xvij Kal.	*O Sapientia. persone, vj d. Canonico, similiter, iij d.; et sic ab isto die usque ad festum Natalis Domini.*[4]
17	A	xvj Kal.	
18	b	xv Kal.	
19	c	xiiij Kal.	
20	d	xiij Kal.	
21	e	xij Kal.	
22	f	xj Kal.	
23	g	x Kal.	
24	A	ix Kal.	
25	b	viij Kal.	[*Natiuitas Domini nostri Ihesu Christi*, principale duplex festum, ix lec.] *Duplex communa cum vino, et est dies sequele.*
26	c	vij Kal.	[*Stephani prothomartiris*, minus duplex, ix lec.] *Duplex communa, dies sequele.*
27	d	vj Kal.	[*Johannis apostoli et euang.* minus duplex ix lec.] *Duplex communa cum vino, dies sequele.*
28	e	v Kal.	[*SS. Innocentium martirum*, minus duplex, ix lec.] *Duplex communa, dies sequele.*
29	f	iiij Kal.	[*Thome Cantuariensis Archiep. et mart.* minus duplex, ix lec.] *Duplex communa cum vino, et est dies sequele.*
30	g	iij Kal.	
31	A	Prid. Kal.	

Scribe Decembr.[5] Nichol. concepte iunge Luciam.
O Sapiensque Thomas, modo Nat. Steph. Jo. pu. Thomas, Sil.

[1] Rich Jones gives Dec. 3rd as the actual day of St. Osmund's death, and in the case of Bishop Roger's obit, a week later. It will be noticed that this list still treats this day merely as a Bishop's obit and not as a festival, to which rank it was not advanced till 1456. (See A. R. Malden's *Canonization of St. Osmund.*)

[2] Observe the primitive dole of bread in this case (Bishop Roger's obit [1139]) as at St. Osmund's (1099) in the previous week.

[3] Bishop Giles of Bridport founded De Vaux College (Collegium S. Nicholai de Valle Scholarium) in connection with St. Nicholas' Hospital on the opposite side of the Harnham road, in 1261, to receive some scholars from Oxford. *St. Nicholas' Charters*, pp. 36, 44.

[4] *O Sapientia, quae ex ore altissimi prodiisti* was the first of a series of "Greater Antiphons" sung to *Magnificat* on certain days immediately before Christmas.

[5] It will be observed that these memorial lines are of a date earlier than the institution of St. Osmund's canonization in 1456–57, as that day is not noticed here.

THE STATUTES AND CUSTOMS OF SALISBURY CATHEDRAL, TRANSLATED WITH NOTES

A.D. 1424.

[Prohemium.]

f. xxxviij. line 21.

Tenor carte domini Osmundi Saresbiriensis Episcopi super fundacione ecclesie Cathedralis Sar*um*[1] vnacum datacione eiusdem ac ordinacione et constitucione dignitatum Canonicatuum libertatum et aliorum ad eandem ecclesiam pertinencium talis est.[2]

A.D. 1091.

[Carta Osmvndi de Prima Fvndacione Ecclesie Sar'.]

† xxxviii.*b* Carta fundacionis per dominum Osmundum Episcopum ecclesie Saresbiriensis eiusdem ecclesie.

In nomine sancte et indiuidue trinitatis, Ego † Osmundus Sariberiensis ecclesie Episcopus Omnibus Christi fidelibus tam posteris notifico quam presentibus Ad honorem domini nostri Ihesu Christi sanctissimeque Marie virginis et pro salute animarum Willelmi regis et uxoris sue Regine Matildis atque filii sui Willelmi Regis anglorum regni successoris pro salute eciam anime mee ecclesiam Seriberiensem me construxisse, et in ea Canonicos constituisse atque illis viuentibus Canonice bona ecclesie ita sicut ipse obtinueram libere et ut exigit regularis censura canonice imperpetuum concessisse. Has scilicet villas

[1] The Foundation Charter of St. Osmund has been printed from the Osmund Register, p. xxi. in Dr. W. H. Frere's *Use of Sarum* (1898), i. pp. 257, 258. Our text here was transcribed by Mr. A. R. Malden, from *Registrum in causa canonizacionis beati viri Osmundi*, pp. 38, 38*b*–41. We have revised his edition by the MS.

[2] This heading is found in the Register of the Canonization of St. Osmund (1424–57), edited by the late Mr. Arthur Russell Malden, M.A., F.S.A., in 1901, p. 46. The text itself is given in the same document,

Proem to the Foundation Charter.

The tenor of the Charter of my Lord Osmund Bishop of Saresbire[3] concerning the foundation of the Cathedral Church of Sar' together with the grant of the same, and the ordinance and constitution of Dignities, Canonries, Liberties, and other things to the same church belonging, is as follows:—

The Foundation Charter, A.D. 1091.

IN THE NAME of the holy and undivided Trinity, I Osmund, the Bishop of the church of Salisbury, make known to all Christ's faithful people that now are living, or that shall be hereafter, that I, to the honour of the Lord Jesu Christ and the most holy virgin Mary, and for the health of the souls of King William and his wife Queen Maud, and his son William King of the Angles, successor of the realm, and for the health of my own soul have built a church at Salisbury (Seriberiensem), and have set Canons therein, and that to them, living canonically, I have granted in perpetuity church property, as I myself obtained it, without fee, and as our rules and regulations require canonically:—to wit, these vills apart from knights' lands:—

and in an earlier copy in the Osmund Register, f. 21. Probably the late Bishop (Dr. John Wordsworth) was right in his opinion, that the transcript in the Canonization Register is the "better copy and seems to be a transcript from the original." We have, accordingly, adopted it as our text.

[3] The spelling of the original "Saresbirie" is given here, once for all, to remind the reader that we have to deal with "Old Sarum." Subsequently we shall use the later form "Salisbury." The contracted somewhat barbarous form, "Sarr*um*" and "Sar*um*," a corruption of the older contraction "Sarr" or "Sar," has become endeared to some of us. It is found so spelt at length on episcopal seals and in mediæval verse, rhyming distinctly with "bonarum," in times earlier perhaps than some authors have supposed.

preter militum terras, Etemenister,[1] Aultona,[2] Cerumenister,[3] Begmenister,[4] Niderberia,[5] Weritelinctona.[6] Ecclesiam de Scireborna[7] cum tota decima eiusdem ville, et cum ceteris appendiciis excepta monachorum decima et sepultura, Ecclesiam de Bera[8] cum decimis et ceteris ibidem appendiciis, Ecclesiam[9] sancti Georgii in Dorcestra cum decimis et ceteris appendiciis, dimidiam ecclesiam de Mera[10] cum medietate decime et ceteris ibidem appendiciis, Ecclesiam de Seriberia[11] cum decimis et ceteris appendiciis, et ii hidas et dimidium in eadem villa et vi hidas et dimidium in Stratford. Et ante portam Castelli Seriberiensis terram ex utraque parte vie in ortorum domorumque Canonicorum necessitate. Ecclesiam de Wyuelesford[12] cum decimis ceterisque ibidem appendiciis, Ecclesias de Poterna[13] et de Lauentona[14] cum decimis ceterisque ibidem appendiciis, Ecclesias de Ramesberia[15] et de Bede Winda[16] cum decimis ceterisque appendiciis, et i
* xxxix. molendinum in eadem villa. * Ecclesiam de Wanberga[17] cum decimis ceterisque ibidem adiacentibus et i hidam et dimidium et terram unius bordarii et xii acros terre in eadem villa, et ortulum unum in eadem villa, Ecclesiam de Ferendona,[18] cum decimis ceterisque ibidem adiacentibus,

[1] Yetminster in Dorset.
[2] Alton Pancras in Dorset.
[3] Charminster in Dorset.
[4] Beaminster in Dorset.
[5] Netherbury in Dorset.
[6] Writhlington in Somerset.
[7] Sherborne in Dorset.
[8] Bere Regis in Dorset.
[9] Probably Fordington near Dorchester united with Writhlington as a prebend. A xvth-century hand has noted in the margin here in MS. E. f. 31^b, "*non habetur iam.*"
[10] Mere in Wilts.
[11] Old Sarum, and Stratford-sub-Castle. The marginal note in E. appears to be "*nota gardinum* Ric' Hayne."
[12] Wilsford in Wilts.
[13] Pottern in Wilts.
[14] Lavington in Wilts.
[15] Ramsbury in Wilts.
[16] Great Bedwin in Wilts.
[17] Wanborough in Wilts., "*non habetur iam*": E. (in margin).
[18] Farringdon in Berks.

Yetminster,[19] Aulton [Pancras], Charminster, Beaminster, Netherbury,

Writhlington,

the church of Sherborne together with the entire tithe of that vill and other appurtenances, saving the monks' tithe and burial,

the church of Bere [Regis], with the tithes and other appurtenances there,

the church of St. George's in Dorchester,[20] with the tithes and other appurtenances,

half the church of Mere with a moiety of the tithe and with the other appurtenances there,

the church of Salisbury [Old Sarum], with the tithes, and the other appurtenances there, and 2½ hides in the said vill, and 6½ hides in Stratford [sub castle], and before the castle gate of Salisbury land on each side of the road for the requirements of Canons' gardens and dwellings,

the church of Wilsford [near Woodford], with the tithes and other appurtenances there besides,

the churches of Pottern and [Bishop's] Lavington, with the tithes and other appurtenances there,

the churches of Ramsbury and of [Great] Bedwin, with the tithes and other appurtenances; and a mill in the said vill [of Bedwin Magna],

the church of Wanborough [or Wambrook], with the tithes, &c., in that neighbourhood; also 1½ hides, and the land of a cottier and 12 acres of land in the said vill, and a small garden in the same,

the church of Faringdon [Berks], with the tithes, &c., in that neighbourhood,

[19] Etemenister, Aultona, Cerumenister, Begmenister, Niderberia, Weritelinctona, Ecclesiam de Scireborna . . . Ecclesiam de Bera . . . Eccl. S. Georgii in Dorcestra . . . dimidium ecclesiam de Mera . . . Eccl. de Seriberia . . . et vi hidas et dimidium in Stratford, et ante portam Castelli Seriberiensis terram . . . Eccl. de Wyuelesford . . . Ecclesias de Poterna et de Lauentona . . . de Ramesberia et de Bede Winda . . . Eccl. de Wanberga . . . de Ferendona . . . de Caningas . . . Ecclesias de Calne . . . Ecclesias de Worda . . . Ecclesias de Merleberga . . . Ecclesias de Bledberia . . . Ecclesias de Sunningas . . . hidas in Potsecamb (*i.e.* Rotescamp) . . . Ecclesias de Granham, etc.

[20] St. George's in Dorchester: probably Fordington near Dorchester in Dorset, united with Writhlington as a prebend. (A.R.M.)

Ecclesiam de Caningas[1] cum decimis ceterisque ibidem adiacentibus, Ecclesias de Calne[2] cum decimis ceterisque ibidem adiacentibus, Ecclesias de Worda[3] cum decimis ceterisque ibidem adiacentibus, Ecclesias de Merleb*e*rga[4] cum decimis ceterisque ibidem adiacentibus, Ecclesias de Bledberia[5] cum decimis ceterisque ibidem adiacentibus, Ecclesias de Sunningas[6] cum decimis ceterisque ibidem adiacentibus, et x hidas terre in Potsecamb,[7] Ecclesias de Granh*a*m[8] cum decimis ceterisque ibidem adiacentibus. Proterea concessi eis medietatem tocius oblacionis que super principale offertur altare exceptis ornamentis, et totam oblacionem[9] ceterorum altarium. Sepulturam insuper totam cum oblacionibus que Episcopo missam celebranti offeruntur preter auri medietatem in eadem ecclesia. Si quis autem Canonicorum siue ad dedicacionem Ecclesiarum siue alias cum Episcopo eiusdem ecclesie fuerit, partem oblacionis sicut capellanus habebit. Ad hoc eciam, duas partes prebende Canonici defuncti in usum concessi ceterorum Canonicorum, et terciam partem in usum pauperum per vnius anni spacium. Scripta est
† xxxix. *b* autem hec carta et † confirmata Anno incarnacionis dominice Millesimo XCI., Indictione Quartadecima, Willelmo Rege monarchiam tocius Anglie strenue gubernante, Anno iiii Regni eius apud Hastingas. Hiis subscriptis

[1] Bishops Cannings in Wilts. [2] Calne in Wilts.
[3] Highworth in Wilts.
[4] Marlborough in Wilts., "*hodie non habetur*": E.
[5] Blewbury in Wilts. [6] Sunning in Berks.
[7] Rotescamp, now Ruscomb, in Berks. Here Seth Ward notes on the margin of MS. E.: "Duæ sunt prebendæ in Rotescamp, alias Roscomb:—Roscomb Southberie habet 2. carucatas terræ, et 8. sylvæ ceduæ et habet in toto nisi 96 acras; et altera prebenda vocata Roscombe Northebery habet vnam carucatam terre et 2 acras sylvæ, continentes in toto 88 acras . . . sed? neuter harum, satisfecerunt 10. hydis. Inquirendum ergo de ceteris, quis," &c.
[8] Grantham in Lincolnshire, where Osmund is thought to have been engaged on the Domesday Survey. W. H. R. Jones, *Fasti Sar.*, p. 40.
[9] The Osmund Register reads, "exceptis ornamentis et tota oblacione."

the church of Cannings . . . the church of Calne, with the tithes, &c.,

the churches of [High] Worth, with the tithes, &c., in that neighbourhood,

the churches of Marlborough, with the tithes, &c., in that neighbourhood,

the churches of Blewbury, with the tithes, &c., in that neighbourhood; the churches of Sunning, with the tithes, &c., in that neighbourhood; also 10 hides of land in Ruscomb [Berkshire],

the churches of Gran[t]ham [Lincolnshire], with the tithes, &c., in that neighbourhood,

Moreover, I have granted to the Canons one moiety of all the offerings presented on the high [or "principal"] altar, saving ornaments. Also[9] the whole of the offerings of the other altars, and all mortuaries together with the offerings which are presented to the bishop when he saith mass in the said church—saving one moiety of the gold which is offered. And if any of the Canons shall be in attendance with the Bishop of the said church, either at church dedications, or otherwise, he shall have his share of the offerings as a chaplain doth.

In addition, I have granted two-thirds of the prebend of a Canon deceased to the benefit of the other Canons, and the other third I have granted to the benefit of the poor for the space of one year [from a Canon's decease].

Note.—Of that moiety of the offerings of the principal altar which the Bishop retains in hand, 4 pounds a year will be given to a Canon until his prebend is made up.[10]

This charter was written and confirmed in the year of our Lord's Incarnation, 1091, in the 14th Indiction,[11] when King William was ruling with a mighty hand the realm of all England, in the 4th year of his reign, at Hastings, the following witnesses attesting under their

[10] This paragraph occurs later (p. 24) in the Latin text, but we venture to place it here.

[11] The Constantinople Indiction (sometimes used in England in the 11th century) began on September 1st. The Imperial Indiction, beginning September 24th was introduced later. But in papal bulls the indiction usually commenced at December 25th or January 1st. The indiction of year 1091 was the XIVth. The IVth year of William I. extended from September 26th, 1090, to September 25th, 1091.

testibus. De illa medietate oblacionis principalis altaris quam retinet Episcopus in manu sua, dabuntur vni canonicorum per annum iiii libre quousque prebenda sua perficiatur.[1] Quisquis vero hoc peruertere voluerit perpetuo anathematizetur. Et memorandum quod carta predicta sigillata fuit Sigillo Regis Willelmi tantum, et habet multas subscripciones Regis Episcoporum Comitum Baronum et aliorum regni Anglie procerum prout tales litere antiquitus subscribi solebant.

Subscripciones carte predicte.

Signum Willelmi Regis Anglorum
Signum Rogeri Comitis
Signum Hugonis Comitis
Signum Henrici de Ferrariis
Signum Comitis Willelmi de Warenna
Signum Roberti de Insula
Signum Croc Venatoris
Signum Wulnoti
Signum Thome Archiepiscopi
* f. xl. * Signum Walchelini Episcopi
Signum Mauricii Episcopi
Signum Iohannis Episcopi
Signum Hoelli Episcopi Cenomannensis
Signum Herberti Episcopi
Signum Gundulfi Episcopi
Signum Roberti Episcopi
Signum Rotberti Episcopi
Signum Rotberti Cancellarii
Signum Radulfi Episcopi
Signum Iuonis dapiferi
Signum Arnulfi de Hesdine
Signum Hugonis de portu

[1] The Bishop retained the *Major Pars Altaris* (which latterly consisted of Pentecostal oblations) until *cir.* 1217, when the prebend of Horton in Gloucestershire (at that time included in Worcester diocese) was attached to his office. Subsequently, however, viz. in 1254, Potterne became the Bishop's prebend. The remainder of the offerings, *Minor Pars Altaris*, constituted a "Subdeacon Prebend."

hands; and whoso shall presume to pervert this, let him be for ever accursed.

(And note that the said charter was sealed with the seal of King William only, and it hath many signatures, of the King, Bishops, Earls, Barons and other nobles of England:—as such letters were wont of old time to be signed).[2]

William, King of the English
Roger, the earl — Robert de l'Isle
Hugh, the earl — Croc the hunter
Henry de Ferrars — Wulnot
earl William de Warren
Thomas archbishop [of York][3]
Walkelin bishop [of Winchester][4]
Maurice bishop [of London][5]
John [of Tours] bishop [of Bath][6]
Hoel bishop of Le Mans[7]
Herbert [Losinga] bishop [of Thetford][8]
["Remigius bishop," of Lincoln, occurs here in *Regist. Rubro.*]
Gundulf bishop [of Rochester][9]
Robert [Losinga] bishop [of Hereford][10]
Ro(t)bert [Limesy] bishop [of Lichfield][11]
Ro(t)bert [Bloett] bishop, the Chancellor[12]
Ralph [Luffa] bishop [of Chichester][13]
Ivo the sewer
Arnulf of Hesdine
Hugh de Portu

[2] The signatures are omitted for the sake of brevity in the *Osmund Register*, but they are all given in the *Canonization Register*, and most of them in *Regist. Rubr.*, and in the opinion of Bishop Wordsworth, they "are important."

[3] Archbishop of York, cons: 1070.

[4] Bishop of Winchester, cons: 1070.

[5] Bishop of London, cons: 1086.

[6] John of Tours, Bishop of Bath, cons: 1088.

[7] Bishop of Le Mans in France, cons: 1085, d. 28 Jul. 1096.

[8] Herbert Losinga, Bishop of Thetford, cons: 1091.

[9] Bishop of Rochester, cons: 1077.

[10] Robert Losinga, Bishop of Hereford, cons: 1079.

[11] Robert of Limesy, Bishop of Lichfield, cons: 1086.

[12] Robert Bloett, Chancellor to King William, and subsequently Bishop of Lincoln, cons: 1094.

[13] Ralph Luffa, Bishop of Chichester, cons: 1091.

Signum Rannulfi Peurel
Signum Radulfi Paganelli
Signum Eudonis dapiferi
Signum Rogeri Bigoti
Signum Huberti de Ria
Signum Gisleb*er*ti de Tonebruge
Signum Willelmi de Albunie
Signum Willelmi de Perceio
Signum Rotberti dispensatoris
Signum Walteri Hosati
† xl. *b* † Signum Willelmi Peurel
Signum Willelmi filii Balduini
Signum Rogeri de Nonant
Signum Rotberti de Silleio
Signum Unfridi de Insula

Descripcio sigilli dicte carte appensi.

Cordule vero per quas sigillum dicti domini Regis pendebat sunt de cerico, et cera eiusdem Sigilli erat quasi alba vernizata et in maxima parte Rotunda. In quo quidem[1] sigillo ab vna parte sculpta est vna ymago regia coronata sedens in solio tenens in manu dextera gladium et in manu sinistra pilam siue pomum (rotundum) in cuius superiori parte est[2] quedam crux extensa, in alia vero parte sculpta est ymago quasi Regis armati sedentis supra equum tenentis in manu dextera lanceam et in manu sinistra scutum. In circumferencia vero dicti sigilli ex utraque parte quatenus perpendi potuit talis est scriptura, Willelmus dei gracia Rex Anglorum.

Ordinaciones facte per dominum Osmundum Episcopum in ecclesia Saresbiriensi.

Item idem dominus Osmundus ordinauit in ecclesia Sar*um* quatuor personas principales, videlicet Decanum Precentorem Cancellarium et Thesaurarium, et constituit de premissis possessionibus triginta duas prebendas in eadem ecclesia, ac eciam deputauit quatuor Archidiaconos, necnon Subdecanum et Succentorem * ibidem, quibus omnibus elargitus fuit possessiones sufficientes de ipsius dominio quod habuit tempore quo stetit Comes dorset*ie*.

* f. xli.

Ista sunt narratiua

[1] "quidam": *MS.* [2] "ex": *MS.*

Ranulf Peverel
Ralph Pagnell
Eudo the sewer
Roger Bigot
Hubert de Rye
Gilbert of Tonbridge
William Daubeny
William de Percei
Ro(t)bert despenser (steward)
Walter Hussey
William Peverel
William fitz Baldwin
Roger de Nonant
Ro(t)bert de Sillei
Humphrey de l'Isle

[The king's seal is fully described, and his signature with those of the bishops, earls, barons, and other nobles of the realm of England, are stated to be in handwriting of an age earlier than the Register of Canonization.]

The strings, by which the seal of the said lord the King depended, are of silk; and the wax of the said seal was in a manner white, varnished, and, for the most part, round. In this seal, on the one side is engraved the likeness of a king, crowned, seated upon a throne, holding in the right hand a sword and in the left a ball or round orb, in the upper part whereof is a tall cross: on the reverse side is engraved the figure as of a king in armour, mounted upon his horse, and holding in his right hand a spear, and in his left a shield. On the circumference of the said shield, on either side, so far as it could be deciphered, the legend is as follows: "William by the Grace of God King of the English."

The same lord Osmund appointed in the church of Salisbury, four principal personages, a Dean, Precentor, Chancellor and Treasurer, and established out of the aforesaid possessions two and thirty Prebends in the same church, and also delegated four Archdeacons, as well as a Sub-dean and Succentor in the same; to all of whom he bountifully gave sufficient possessions from his own demesne which he held while he was Earl of Dorset.

et cuius fuerint non apparet.

Item dominus Osmundus composuit librum ordinale*m* quem consuetudinarium vocauit, quo fere tota Anglia vtitur et Wallia et eciam Hibernia. Dictauit eciam vitam sancti Aldelini[1] prout in multis cronicis reperitur. Item idem Osmundus libros scribere ligare et illuminare non fastidiuit.[2]

De rebus datis et de comitatu.

De libris.

A.D. 1091.

[Institvcio, sive Ordinaciones Osmundi.][3]

Alie ordinaciones facte per dominum Osmundum in ecclesia Saresbiriensi.

HEE sunt[4] dignitates et consuetudines Saresbiriensis ecclesie quas ego Osmundus Episcopus eiusdem ecclesie In nomine sancte Trinitatis anno ab incarnacione domini millesimo xci^o^ institui simul et concessi personis et Canonicis eiusdem ecclesie, participato dominorum Archiepiscopi et aliorum coepiscoporum nostrorum consilio, quorum nomina subscripta sunt, et domini regis Willelmi interueniente assensu, videlicet ut Decanus et Cantor Cancellarius et Thesaurarius[5] residentes sint assidue in ecclesia Sar*um* remota omni excusacionis specie.[6]

Archidiaconi cum tali moderamine officium archidiaconatus impleant vt duo semper ex eis residenciam faciant in ecclesia Sar*um*, nisi necessaria et euidens causa possit eos excusare.

Canonicos nichil potest excusare quin et ipsi residentes sint in ecclesia Sar*um*, nisi causa scolarum et seruicium[7] domini Regis, qui vnum habere potest in Capella sua. Archiepiscopus vnum, et episcopus tres.

[1] St. Aldhelm, Abbot of Malmesbury, the first Bishop of Sherborne, A.D. 705–9. A brief account of him (by the late Bishop John Wordsworth) is given in Ollard and Crosse's *Dict. Engl. Ch. Hist.*, 1912. St. Osmund among other treasures presented to his cathedral at Old Sarum a famous relic—"brachium S. Aldelmi argenteum et deauratum," to which several remarkable cures were attributed, and which he had procured in 1078 (*ibid.*, p. 427, art. "Osmund"). It is mentioned later in the Treasurer's inventory, *cir.* 1214–22, and likewise in the form of the "proclamation of relykes" at Salisbury Cathedral, *cir.* 1445 (*Processions*, p. 38).

[2] See *Lincoln Cath. Statutes*, iii. 860–863; *Canonization*, p. 54.

[3] This *Institucio Osmundi Episcopi* has been edited by Dr. W. H. Frere (*Use of Sarum*, i. 259–261) from a copy inserted in a good early xivth-century hand at the bottom of f. 24, and the top of the verso, in the Osmund Register.

[4] "Hec sunt": H. Bradshaw.

[5] The Subdean is also named here (as elsewhere) as bound to reside in the copy of these privileges as they were furnished to Lincoln.

The same lord Osmund put together an Ordinal-Book, which he called a Consuetudinary. Almost all England and Wales and also Ireland now use it. Also he dictated a Life of St. Aldhelm, as is found in many chronicles. Also the same Osmund did not disdain to write books and bind and illuminate them.

The Institution Charter [the Constitution or] Ordinances of St. Osmund.

THESE be the privileges and customs of the Church of Salisbury, which I, Osmund, Bishop of the same church, in the name of the Holy Trinity in the 1091st year after the Incarnation of our Lord have instituted, and have at the same time granted, to Personages and Canons of the same church, having myself taken advice from my lords the Archbishop and other our brother Bishops, whose names are written below, and with the assent of our lord King William which came to us at the time (*interveniente*); to wit:

That a Dean and a Chanter [or Precentor], Chancellor and Treasurer[5] be resident assiduously in Salisbury church, any sort[6] of excuse being removed.

Let the Archdeacons fulfil the office of Archdeaconship, with this reservation, that two of their number shall alway keep residence in the church of Salisbury, unless a pressing and clear reason may exempt them.

The Canons, however, nothing can exempt from being resident themselves in Salisbury church unless it be the reason of attendance at schools of learning, or the service of our lord the King, who may employ one Canon in his chapel; the Archbishop also, one; the Bishop, three.[8]

[6] From the Osmund Register, at bottom of f. 24 and top of verso, reading "*specie*" ("spe") with MS. O., etc. The reading "spe" (without the *ligula*) would, of course, mean that every *prospect* or expectation of exemption, from residence must be abandoned. "Specie" is the reading in the *Canonization of St. Osmund*, f. xli., ed. A. R. Malden (1901), p. 50.

[7] "seruiencium" (altered, and dotted underneath): MS.

[8] It appears that (*cir.* 1245) it was the custom at Salisbury that the Bishop's three Chaplains should be of the priest, deacon, and subdeacon prebends respectively. (See *Liber Albus*, i. Eccl. Cathedr. Wellen, f. 29b.)

† xli. *b.*

Verumptamen si necesse habuerit Canonicus pro communi vtilitate ecclesie vel prebende sue, †et hoc fuerit in manifesto, poterit per anni terciam partem abesse.

Dignitas decani est et omnium Canonicorum[1] ut Episcopo in nullo respondeant nisi in Capitulo, et Iudicio tantum Capituli pareant; habent eciam curiam suam in omnibus prebendis suis et dignitatem archidiaconi ubicunque prebende assignate fuerint in parrochia nostra siue in ecclesiis vel decimis aut terris. Ita quidem quod nulla omnino exigencia in dono vel in assisa, aut aliqua alia consuetudine ab Episcopo vel a quolibet alio fiat in prebendis eorum. Sed omnes libertates et omnes dignitates plenarie et pacifice habeant quas ego Osmundus Episcopus in eisdem prebendis habui, aut aliquis alius cum eas in nostro haberemus dominio.

De dominio diuiso inter prebendas.

Quando vero aliquis constituitur Canonicus debet coram fratribus in Capitulo Iurare, presente ewangelio, se dignitates et consuetudines Sar*um* ecclesie inviolabiliter obseruaturum.

Decanus omnibus Canonicis et omnibus vicariis preest quo ad regimen animarum et correctionem morum.

Cantor debet chorum regere quo ad cantum et potest cantus eleuare et deponere.

Thesaurarius in conseruandis thesauris et ornamentis et in administrandis luminaribus preeminet.

[1] The phrase, "Dignitas Decani et omnium canonicorum," with which the Salisbury Privileges virtually began, has given its name to the Chartulary of St. Patrick's Cathedral, to which Dr. J. H. Bernard supplied a calendar of documents in 1905 (*Proceedings R. Irish Acad.*, xxv. 481–507). It contains the charter of Henry Archbishop of Dublin, granting each Canon jurisdiction in his own prebend, as at Salisbury, *cir.* 1224; a letter of the Chapter of St. Patrick's to that of Salisbury, 1284; bull of Innocent III., enjoining Sarum Use, 1216; Ordinance of Archbishop Comyn, confirming the same privileges as those enjoyed by the Canons of Salisbury, 1191; oath of the Dean and Chapter of St. Patrick's to defend their liberties "ad instar Salisburiensis ecclesiæ," 1306; Regulations as to residence of Canons, extracted from *Nova Constitutio Sar.*

Howbeit, if a Canon is required to be absent [on business] for the common benefit of the church or that of his prebend, and this be obviously the case, he may be so for the third part of a year.

It is the Dean's privilege,[2] and that of all the Canons to make answer to the Bishop in no matter unless it be in Chapter, and to comply with the judgement of the Chapter only.

They have also their own court in all their prebends, and the privilege of an Archdeacon wheresoever their prebends shall have been assigned within our diocese (*parochia*),[3] whether such prebends consist in churches or in tithes or in lands, in such sort that neither the Bishop nor any other shall make any demand of them in their prebends in the form of presents[4] or assize or any customary duty whatsoever, but they enjoy fully and unmolested all those same liberties and privileges which either I myself, Osmund the Bishop, or any other beside me, have enjoyed in those prebends, while we retained them in our own domain.[5]

When any one is constituted a Canon, it is his duty to make oath before the brethren in Chapter, in presence of the Gospel, that he will observe inviolably the privileges and customs of the church of Salisbury.

The Dean is superior to all Canons and all Vicars as regards the regimen of souls and the correction of behaviour.

The Chanter's duty is to rule the choir in respect of song; and he has power to raise and lower the singing.[6]

The Treasurer is supreme as chief custodian of treasures and ornaments, and in serving out of lights.

[2] Cf. *Statutes of St. Paul's*, Book I. pars i. cap. 40.

[3] In the Consuetudinary the phrase is changed to "in Diocesi episcopatus Sarisburiensis" (Frere's *Use of Sarum*, i. p. 8).

[4] "Dono" is the reading likewise of the Consuetudinary in MSS. S. and D., where Harl. 1001 and Bodl. 2384 read "domo."

[5] It is recorded in the archives of Wells (*Liber Albus*, i. f. 29^b) that Canons of Sarum had the status of an Archdeacon each in his own prebend (*cir.* 1140), and, as at Lincoln, the Archdeacon of the surrounding archdeaconry could exercise no jurisdiction in the prebends. (Cf. *Statutes of Roger de Mortival* (1319), cap. 21.)

[6] Cf. "Cantoris officium est chorum in cantus elevacione, depressione et psalmodia regere" (*Statutes of St. Paul's Cathedral* (*cir.* 1300), pars i. cap. 54).

Similiter et Cancellarius in scolis regendis et in libris corrigendis.

* f. xlii. * Archidiaconi in sollicitudine parrochiarum et in cura pollent animarum.

Decanus et Cantor Thesaurarius et Cancellarius duplicem percipiunt communam, reliqui canonici simplicem, sed in communa non participat nisi qui residens fuerit in ecclesia.[1]

Si canonicus dedicacioni interfuerit, eque percipit de oblacionibus cum Capellanis Episcopi. Si dominus Episcopus ecclesias vel capellas prebendarum dedicauerit, nichil ibi percipiunt capellani Episcopi, nec alii nisi solus Canonicus, cuius fuerit prebenda.

Subdecanus a decano Archidiaconatum vrbis et suburbii.[2]

Succentor a cantore que ad cantariam pertinent possidet.

Si decanus defuerit ecclesie Subdecanus vices eius impleat.

Succentor similiter et Cantoris.[3]

[1] At the foot of the page in the copy of this document as inserted early in the *fourteenth century* on a page originally left blank in the early thirteenth century, *Osmund Register* (f. xxiv.), there is the curious note: "Hoc inuenies scriptum in quodam textu paruo et ueteri, pauperis pretii." It is repeated later, as on p. 34, below.

[2] The Dean himself has archidiaconal jurisdiction in the city of Salisbury (and in his prebends also), according to the Salisbury custom sent to Wells *cir.* 1240 and registered in the *Libr. Albus.*, i. f. 29.

[3] "Succentoris officium est, uices Cantoris supplere, uidelicet in puerorum informacione et cantuum direccione." (*Ordinale Exon.* (ed. Dalton, 1909), i. p. 5.)

[4] It is not, perhaps, quite clear whether it was originally intended that the Subdean should take up all the Dean's authority in such a case. It may be suggested that duties here in view were such as concerned the church services, on those occasions when it was the Dean's duty to officiate (*e.g.* on a double feast, if the Bishop were absent), in much the same manner as a Vicar-choral in old times supplied the place of his "master," an absent Canon whom he represented. So also the Bishop's Vicar is directed in the Salisbury or Sarum *Ordinale*, to supply the Bishop's place if he should chance to be absent at the reconciliation of penitents; on Maundy Thursday to begin the antiphon of invitation, "*Come, come my children, hearken unto me*": though some parts of the Bishop's functions were in such a case to be omitted (*Use*

The Chancellor, in like manner, in ruling schools, and as corrector of the books.

The Archdeacons are vigorous in thoughtful care of parishes, and in cure of souls.

Dean, Chanter, Treasurer, and Chancellor, receive double commons; the other Canons single commons; nevertheless none participates in commons unless he have been resident in the church.

If a Canon have attended a [church] dedication, he takes a share of the offerings equally with the chaplains of the Bishop.

If my lord Bishop shall have been dedicating churches or chapels pertaining to prebends, neither the Bishop's chaplains nor any other receive a share, save only the Canon to whom the prebend in each case belongs.

The Subdean receives in possession from the Dean the archdeaconry of the city and its suburban district.[2]

The Succentor receives in possession from the Chanter the appurtenances of chantry.

In case the Dean is lacking to the church, let the Subdean supply his place.[4] Similarly, in the Chanter's case, let the Succentor do the like for him.

of Sarum, ii. 162–3 (1901)). At Wells, where the Salisbury customs, with some modifications, had been already adopted, it was found necessary in 1241 to define more clearly what Osmund and Poore had not sufficiently explained, viz. that it pertains to the Dean, *or in his absence to the Subdean*, to give leave for going away from the vill, or for being bled, [or] to move a cleric to the first step or to the second form (*Reynolds*, p. 57). In 1310 it was declared that the Subdean of Wells (and the Succentor likewise) must be in priest's orders, and must reside continually (*id.*, p. clxvii.). In later times the Subdean of Wells issued mandates for the Pentecostal Chapter in his own name. When J. de Grandisson revised the Salisbury customs for his cathedral at Exeter in 1331, he thus expressed this paragraph: "It is the duty of the Subdean, who is the Bishop's penitentiary, to hold the place of the Dean when absent, and to supply his duty; to hear the confession of penitents, and to absolve them or send them on to a higher authority. [Presumably, in cases reserved, to the Bishop or the Pope.] Once a year, if he conveniently can do so, to go round the diocese to hear confessions of the sick and infirm. But on other occasions not to be absent long from the church, particularly in Lent and Advent" (*Ordinale Exon.*, H.B.S., ed. Dalton, i. p. 5 (1909)). At Wells, he might have four months' leave of absence for sufficient reasons; but the Dean and the Subdean will not be able to be both out of residence at the same time (*Reynolds*, p. 56). For later developments, see Index.

Archiscola debet lectiones ascultare et terminare, Sigillum ecclesie portare litteras et cartas componere, et in tabula lectores notare,[1] et Cantor similiter cantores.

Seniores obsecrandi sunt vt fratres.

Verumptamem si cotidiano sacrificio vel horis Canonicis absque racionabili causa sepius defuerint, et a decano correpti hoc non emendauerint, debent in Capitulo coram Decano et fratribus prostrati veniam recipere.

Si vero de inobediencia et rebellione vel alio notorio deprehensi fuerint, debent a stallo degradari, et ad hostium chori post Decanum, vel in choro ultimi puerorum
† xlii. *b* secundum † quantitatem delicti penitenciam agere. Quod si hanc disciplinam neglexerint et incorrigibiles apparuerint, seueriori subiaceant vltioni. "Si quis autem hanc "institucionem peruertere seu annullare attemptauerit "omnem maledictionem omnium subscriptorum Episco- "porum se nouerit incursurum, et in ultimo examine a "consorcio iusti Iudicis et eterni dei alienum."[2]

Huius vero constitutionis a me liberaliter facte et concesse testes sunt hii.

Willelmus Rex anglorum
Thomas Archiepiscopus
Walkelinus Episcopus
Martinus[3] Episcopus
Johannes Episcopus
Hoellus Episcopus cenomannensis
Robertus Episcopus
Herbertus Episcopus
Remigius[4] Episcopus

[1] These duties here originally assigned to the "Archiscola," or master of the school, were subsequently transferred to the Chancellor of Salisbury (see below).

[2] These words are marked by having inverted commas written against them in the margin of the MS.

[3] Probably a mistake for Mauricius, Bishop of London. (See p. 33*n*.)

[4] Bishop of Dorchester, cons: 1067. The other Bishops are mentioned above.

The School Rector's (*Archiscola*)[5] duty is to hear the lessons read, and to determine their length; he is to carry the seal of the church, to compose letters and documents, and to mark the readers' names upon the board [or "wax brede"], and the Chanter's duty is to do the like for the singers.

The elders are to be besought like brethren. Howbeit, if they are found wanting too often, and without reasonable cause, at the daily sacrifice or at the canonical hours, and if, after correction by the Dean, they have not reformed this fault, it is their duty to receive punishment (*veniam*)[6] in Chapter prostrate in presence of the Dean and brethren.

And if they have been found guilty of disobedience or insubordination or any other notorious misdemeanour, they ought to be deposed from their stall, and to do penance at the choir door, behind the Dean, or in the choir at the bottom of the boys' row,[7] according to the measure of their misbehaviour. If they take no account of this correction and show themselves to be incorrigible, let them submit to vengeance more austere.

Now of this constitution graciously made and granted on my part these be the witnesses:

William, King of the English
Thomas [of York] archbishop[8]
Walkelin [of Winchester] bishop
Maurice[9] [of London] bishop
John [of Bath] bishop,
Hoel of Le Mans, bishop
Robert [? of Hereford or of Lichfield] bishop
Herbert [of Norwich] bishop
Remigius [of Lincoln] bishop

[5] *Archisc(h)ola:* see p. 58. [6–7] See *Additional Notes*, p. 54.

[8] Thomas, Archbishop of York, had been formerly Chancellor of the Church of Bayeux, and thus may have been instrumental in introducing the Bayeux arrangements of the four chief dignitaries in choir, at Old Sarum, Lincoln, York, Chichester, and other cathedral churches of the Old Foundation in England.

[9] This name has been entered as "Martinus" in the so-called Osmund Register, and is so written also in the Canonization Register, but Dr. W. Stubbs assured Chr. Wordsworth that this was a mistake for "Mauricius." (Cf. p. 22, *supra*.)

Radulfus Episcopus
Gundulfus Episcopus
Robertus Cancellarius

et multi alii tam clerici quam laici magni nominis et dignitatis viri.

Tractatus qualiter ecclesia Saresbiriensis regitur et ordinatur per subdelegatos in partibus extractus.

Hoc inuenies scriptum in quodam textu paruo et ueteri, pauperis pretii.

Personas et earum officia dignitates et consuetudines quibus ecclesia Sarum ordinatur et Regitur Iuxta institucionem felicis memorie Osmundi eiusdem fundatoris Episcopi presens tractatus explanat.[1]

* f. xliii.

Quatuor itaque sunt persone principales in ecclesia Sarum Decanus Cantor Cancellarius et Thesaurarius, et quatuor Archidiaconi, * videlicet Archidiaconus Dorsetie Berksirie et duo Wiltesirie, Preterea subdecanus et succentor.

Tenor scripture ORNAMENTORUM et IOCALIUM que Osmundus predictus dedit ecclesie sue Sarum.

Hic describuntur ornamenta et Iocalia data per dominum Osmundum ecclesie Saresbiriensi.

Hic continetur memoria ornamentorum que Osmundus Sarum Episcopus dedit ecclesie sancte Marie Sarum. Scilicet sex feretra [2] argentea et deaurata, et decem textus [3] argenteos deauratos, et ij buxides argenteas deauratas, et tres cruces argenteas deauratas, et sex candelabra argentea deaurata, et unam situlam argenteam deauratam, et duo bacinia argentea deaurata, et unum calicem aureum quatuor marcharum, et septem calices argenteos deauratos cum patenis, et quatuor Altaria argentea deaurata, et unum vasculum argenteum ad vinum deferendum, et unam summam [4] argenteam ad aquam deferendam in officio misse, et brachium sancti Aldelmi [5] argenteum et deauratum, tria vascula, duo videlicet argentea cum duobus cochlearibus argenti, Tercium vero de perula preciosa ad thus reponendum, et unum Crismale Episcopale et duas ampullas argenteas ad crisma et oleum deferendum, et unam tabulam argenteam deauratam ante altare, et duo

[1] Merely this descriptive heading of the *Consuetudinary* of Bp. R.

Ralf [of Chichester] bishop
Gundulf [of Rochester] bishop
Robert the chancellor

and many clerks and laymen besides, being persons of great name and worth.

You shall find this record written in a little worn-out gospel-text of mean value.

The Persons and their duties and privileges, and the customs whereby the Church of Salisbury is regulated according to the constitution of Bishop Osmund of happy memory, its founder, the present Treatise explains.

There are then four Principal Persons in the Church of Salisbury: the Dean, Precentor, Chancellor and Treasurer, and four Archdeacons—to wit, the Archdeacon of Dorset, of Berks, and two of Wilts; a Subdean besides, and a Succentor.

The tenor of a NOTE of the ORNAMENTS and JEWELS which the said OSMUND gave to his Church of Salisbury.

Herein is contained a memorandum of the ornaments which Osmund, Bishop of Salisbury, gave to the Church of St. Mary Sarum, viz.: 6 shrines silver gilt; 10 texts silver gilt; 2 boxes, ditto; 3 crosses, ditto; 6 candlesticks, ditto; one bucket, ditto; 2 basons, ditto; 1 chalice of gold of 4 marks, and 7 chalices silver gilt with patens; 4 altars silver gilt; 1 silver vessel to carry wine; 1 silver phial (?), to carry water in the service of the mass; the arm of St. Aldhelm silver gilt; 3 vessels, whereof two are of silver, with 2 silver spoons, and the third vessel of precious pearl, to put frankincense in; a bishop's crismatory, and 2 silver flasks to carry the cream and the oil in; a silver-gilt front before the altar; 2 horns (tusks)

Poore is cited in the *Register of St. Osmund's Canonization.* For a further specimen, see pp. 55–69, below.

[2] A feretrum was a portable shrine to contain the Eucharist or relics of saints.

[3] A book of the four Gospels.

[4] *Summam:* an unusal word in this sense.

[5] On this relic of St. Aldelm, which St. Osmund procured from Warin, Abbot of Malmesbury, see p. 26 *n.* It was adorned with many precious stones, and its silver case included many other relics besides. (*Ceremonies*, p. 170.)

† xliii. *b* cornua[1] eburnea, et xxvij philateria[2] argentea † deaurata, quorum nouem cum cathenis argenteis, et duo cristallina, et unum gagatinum, et xvij dossolia[3] de pallio, et quatuor lanea, et duo linea, et vij cortinas, et quatuor pallia altari ydonea, et octo bufficios ispanicos, et tres pannos brusdatos de cerico ad opus altarium, et unum osterium brusdatum ad opus defunctorum, et nouem bancalia lanea, et sex tapeta, et trigintaquatuor cappas, quarum vigintiseptem de pallio et alie de osturino,[4] quarum eciam nouem sunt adornate usque ad pedes de aurifixo,[5] et duodecim cum tassallis et aurifixo, et tres clamides ad opus acolitorum, quarum videlicet una cum duobus appendiciis auro brusdatis, et viginti casulas,[6] harum xviij de pallio, quarum eciam nouem sunt adornate de aurifixo et due de osturino, et tresdecim dalmaticas, quarum due sunt de pallio, reliqne omnes de osturino, et tresdecim stolas cum septemdecim manipulis,[7] quarum una cum manipulo est preciosissima, et quadraginta albas, harum quatuor sunt de osturino et tres de alcassino et tres deorsum parate de pallio ad pedes, et quadragintatria superhumeralia, horum duodecim sunt parata de aurifixo, et octo cingula de

* f. xliiii. pallio,* et sandalea cum caligis, et tres missales, et undecim

[1] Tusks and horns were not uncommon offerings. (A.R.M.)

[2] Reliquaries, *phylacteria*, lit. "safes."

[3] Hangings for the backs of altars or stalls.

[4] *De osturino*, of purple or blood colour. The cognate form "*ostrinus*" is found in Propertius and elsewhere. In two instances in the present document "osturnio" is written by the scribe, who occasionally marks a stray letter *i*, as if intending to dot it.

[5] *Aurifixum*, *aurifrigia* (orphrey, or orfray), *lit.* Phrygian gold embroidery.

[6] The chasuble, said to have been St. Osmund's own, in the Treasurer's Inventory, 1214–1222 A.D., was adorned with 24 precious stones. At that time there were 26 chasubles in the treasury at Salisbury. (*Processions*, p. 175.) There was also a broken staff which was said to have belonged to the Saint. (*Ibid.*, p. 177.)

[7] Fanons, or maniples: oblong pieces of embroidered silk, folded double, passed over the left wrist and hanging down.

of ivory; 27 reliquaries, silver gilt, whereof nine have golden chains, two are of crystal, and one of jet[8] (agate); 17 dossal hangings of cloth and 4 of wool and 2 of linen; 7 curtains; 4 cloths fitted for the altar; 8 Spanish leather hangings; 3 embroidered cloths of silk for the service of the altars; an embroidered ciborium[9] for the service of the dead; 9 bench cloths of wool; 6 carpets; 34 copes, whereof seven and twenty are of cloth, and the rest of purple: nine also have the adornment of gold thread orphreys reaching down to the foot, and twelve are adorned with tassels and golden thread; 3 cloaks for the service of acolytes, whereof one has two pieces of gold embroidery attached; 20 chasubles: of this number eighteen are of cloth, and nine have orphreys of gold thread, and two of purple; 13 dalmatics, whereof two are of cloth, and all the rest of purple; 13 stoles with 17 fanons, one [stole] with its fanon being most precious; 40 albes: of these four are of purple and three of coarse silk,[10] and three are apparelled down to the feet with cloth; 43 amices: twelve of these are apparelled with orphreys of gold thread; 8 girdles of cloth, and sandals with buskins; 3 mass [-books?][11]

[8] *gagatinum:* jet; Halliwell says *agate.*

[9] The last syllable of this word in the Latin MS. is contracted. It must be read either "osternum" or "osterium." Mr. Malden considered this to be a cognate form for "*hosteria, i.e.* sacra pyxis, ciborium." (W. H. Maigne D'Arnis, *Lexicon Manuale.*) Possibly it was an embroidered purse for the Host. (Cf. *vas hostiarium*, and the old English term an "ooster.")

[10] *de alcassino:* of coarse silk. (Cf. Spanish *alcaiceria*, a raw-silk market.)—A. R. Malden.

[11] On f. xliii. of the Canonization record the tradition about St. Osmund is thus more fully stated: "Tenor verborum Cronice Cestrensis de prefato Osmundo mensionem facientis talis est. (*Verba cronice Cestrensis de domino Osmundo.*) 'Hoc anno in Anno domini millesimo septuagesimo septimo Hermannus primus Episcopus Saresbiriensis obiit, cui successit Osmundus Regis cancellarius viginti quatuor annis, qui ecclesiam nouam ibidem construxit, clericos insignes tam literis quam cantu aggregauit. (*De libris.*) Ita ut ipsemet Episcopus libros scribere ligare et illuminare non fastidiret. Hic quoque composuit librum ordinalem ecclesiastici officii, quem consuetudinarium vocauit, quo fere nunc tota Anglia Wallia utitur et Hibernia. Dictauit eciam vitam sancti Aldelmi.'" (Higden's *Polychronicon*, lib. vii. cap. iii., Rolls Series, vol. vii. p. 292. See also Bradshaw and Wordsworth's *Statutes*, iii. pp. 861–869, 873–888.)

tunicas, harum tres sunt de pallio reliquæ omnes de osturino.

Pro Cancellario Sar'.

Cir. A.D. 1180. JOSCELINVS, Dei gracia, Sar' Episcopus, dilecto filio et amico karissimo Jordano Decano et capitulo Sar' salutem et Dei benedictionem.

Noueritis nos dedisse et assignasse virgatam terre que ab antiquo pertinere solet ad correctionem librorum ecclesie Sar', Philippo de sancto Eduardo, clerico nostro et canonico[1] nostro; ita quidem vt idem Philippus operam et diligenciam adhibeat ad eorundem librorum correctionem. Hanc autem terram quam predicto Philippo, quoad vixerit, concessimus possidendam, et per ipsum ecclesie nostre reddimus, ad pretaxatum ministerium volumus et statuimus in perpetuum deputari; et, nequaquam istud venire possit in dubium, presentem cartam sigillo nostro communimus. Hiis testibus:—

*Domi*no Rainaldo Bathoniensi episcopo
*Domi*no Roberto Forde abbate
Bald*uino* cancellario Sar*isburiensi*
Galfrido archidiacono Berk*scir.*
Galfrido Aguillon.
magistro Alexandro medico
Daniele de Ponte
Gualterio capellano
magistro Roberto filio Ursonis
Roberto de Geldeford
Henrico de Norhamton,
canonicis Sarum. (*sic*)

[1] "Canonico": *Osm. Reg.*; "concanonico": Dayman and Jones.

and 11 tunicles, whereof three are of cloth, and all the rest of purple.

Charter *relating to* Correction of the Books *of Salisbury Cathedral* [*cir.* 1180].

(From *Osmund Register*, p. 27.)

JOSCELINE, by the grace of God, Bishop of Salisbury,[2] to his beloved son and friend, Jordan the Dean, and to the Chapter of Salisbury, health and the blessing of God.

Ye shall understand that we have given and assigned to Philip of St. Edward, our clerk and [brother] Canon, a virgate of land, which of old time was wont to appertain to [defraying] the correction of the books of the Church of Sar., on such terms as that this said Philip should give care and diligence to correcting the said books. Now this is our intent, as to this same land, which we have granted in possession to the aforesaid Philip during his lifetime, and which we give back through him to our church; we will and decree that it should serve in perpetuity to the aforementioned purpose. And lest this should come into question in any way, we arm this present charter with our seal, the following being witnesses attesting:

Reinald, lord bishop of Bath, 1174–92
Sir Robert Forde, abbot, *c.* 1180–90
Baldwin, Chancellor of Salisbury, *c.* 1180–91
Geoffrey, Archdeacon of Berkshire, *c.* 1175–80–1216
Geoffrey Aguillon
Master Alexander the physician
Daniel de Ponte
Walter the chaplain
Master Robert fitz Urse
Robert de Gildford, and
Henry of Northampton, Canons of Salisbury

[2] Joceline was Bishop of Sarum, 1142–84; Jordan, Dean, *cir.* 1176–80. Canon Richard Jones (*Fasti*, pp. 227, 445) gave the date of this deed "*cir.* 1165," but in his *Osmund Reg.* (i. 224) he says, more correctly "*cir.* 1175–80." We may date it as *cir.* 1180.

A.D. 1214.

Nova Constitutio facta A.D. 1213[–14].[1]

[Reg. Osmund, *fol.* lvi., lvii.; MS. E. *fol.* 39.][2]

Statutum de custodia sigillorum.[3]

ANNO ab incarnatione Domini 1213, In crastino Epiphanie, presentibus Dño R[icardo] Decano, H. cancellario, et multis alijs quorum nomina subscripta sunt, facta est hec constitutio in capitulo Sarr'; Videlicet, quod nunquam maius sigillum[3] debet aperiri, nisi ad confectionem scripti autentici, et hoc fiat in presencia do*mi*ni Decani, Cancellarij, et aliorum Canonicorum qui comode ad hoc possint uenire. Rescriptum autem huius scripti in registro ecclesie Sar' per visum predictorum debet notari, et in th*e*saro †[4] poni. Istud autem maius sigillum per assensum Decani [et] Cancellarii custodie duorum canonicorum fidelissimorum debet tradi, nisi Cancellarius in propria persona presens ibidem possit esse; qui cum alio canonico sigillum ipsum possit custodire. A die autem constitutionis huius, si qua carta fuerit confecta et impressa illo ueteri osseo sigillo, pro nulla reputabitur; quin ipsum sigillum quasi pro dampnato propter multiplices quorundam excessus habetur.

7 Jan. 1213–14.

[1] The date "m.cc.xiiij." is given in the text on p. 111 of *Reg. Osmund*, but a coeval hand has written "M.cc.xiij." in the margin, in red, and 1213 likewise is the date in MS. *E.*

[2] This is an especially interesting document, as having been drawn up in the days when Richard Poore, the founder of the New Cathedral, was Dean, and evidently with the removal from Old Sarum in immediate prospect. At that time, Herbert Poore, brother of the founder, held the see of Sarum. (J.)

[3] This section is headed "Statutum de Custodia Sigillorum" in Lib. Evid. C. No. 474 as well as in the upper margin of *Reg. Osmund.*

[4] "Thasauraria" *altered to* "thesauraria": MS. E. f. 39; "th*e*saro": *Reg. Osmund.*

A New Constitution made in the Year 1213.

(7th January, 1213-14; sealed, 15th September, 1214.)

Statute on the Custody of the Seals.[5]

(*From the Osmund Register, fol.* 56, 57.)

IN the year after the Incarnation of our Lord the 1213th, on the morrow after Epiphany, my lords Richard [Poore] the Dean, H[ugh] the Chancellor, and many others whose names are written below, being present, this Constitution was made in the Chapter of Salisbury; to wit, that the large seal must not be taken out of its case except to execute some *bona fide* writing, and that this be done in the presence of my lord Dean, the Chancellor and those other Canons who can conveniently attend for this purpose. A copy of this writing must be marked in the register of the church of Salisbury as examined [or viewed] by the said persons and laid up in the treasury. This larger seal must by consent of the Dean and the Chancellor be delivered to the custody of two right trusty Canons, unless the Chancellor can himself be present there in his own person, so that he may keep the seal itself in conjunction with another Canon. If after the date of this present Constitution any charter be composed or impressed with the old bone seal, it shall be accounted null; nay the seal itself is reckoned as condemned on account of the repeated malpractices of certain parties.

[5] An old note in the *Osmund Register*, f. 91[b], records that "Statutum de custodia sigillorum est in principio noni quaterni huius libri, et etiam in primo folio tercii quaterni libri veteris putrefacti." ("The Statute *on Custody of the Seals* is at the beginning of the ninth (quire or) gathering of this book, and again at the first leaf of the third gathering of the old decayed volume.")

7 Jan. 1213–14. Vsus autem minoris sigilli erit ad citationes[1] faciendas, amicabiles preces offerendas, redditus exigendos,[2] et ad alios usus ecclesie necessarios, secundum uisum et assensum canonicorum et aliorum ad eius custodiam per assensum Decani et Cancellarii deputatorum.

Constitutio et prouisio super residentia Canonicorum.

Super residentia Canonicorum facienda ita prouisum, est; videlicet, quod quarta pars canonicorum, per totum terminum statutum, continuam annuatim faciat residen-
† E. f. 39b. tiam, † una cum quatuor personis ecclesie, qui secundum constitutionem[3] bone memorie Osmundi Sar' episcopi continuam facere tenentur residentiam; exceptis illis canonicis qui per regem, Archiepiscopum, [vel] Episcopum, exempti sunt. Si quis uero statutis terminis suam non poterit, et hoc rationabili causa ostensa, facere residentiam, quintam portionem prebende sue secundum ipsius ualorem et rectam estimationem residentibus, uel ad alios usus secundum consilium Decani ecclesie necessarios, absque omni contradictione prestabit.

Ordinatio de fructibus percipiendis.

Siquis canonicorum, seu vicariorum forinsecorum,[4] ante *Letare ierusalem*[5] obierit, et terram prebende sue, seu vicarie, proprijs sumptibus excoluerit, uel ad excolendum tradiderit, qui fructus anni percipiet laborem illi qui terram excoluit, sine aliqua diminutione, refundet, ad

[1] "Citationes": Reg. Osm., E.; "constitutiones": Lib. Evid. C.
[2] "Exigendos": Reg. Osm., Lib. Evid. C.; "erigendos": E.
[3] "Constitutionem": MS. (D. and J. print "*constitutiones.*")
[4] The *Vicarii forinseci* were those engaged in serving at the various prebendal parish churches, as distinct from *Vicarii chorales*

The employment of the lesser seal shall be in making citations, in presenting friendly requests, or in demanding rents, and other necessary purposes of the church, according to the view and agreement of the Canons and other parties deputed to keep this seal by consent of the Dean and the Chancellor.

[A Constitution *and provision for* Residence *of* Canons.]

Concerning the Canons' keeping of Residence thus it is provided; namely, that one quarter of their number shall keep continual residence year by year throughout the whole statutable term, along with the four Personages of the Church, who, according to the Constitution of Osmund Bishop of Salisbury of good memory, are bound to keep continual residence, excepting those Canons who are exempted by the King, or by the Archbishop or the Bishop. If any Canon cannot keep his own residence at the statutable terms, and this for a reasonable cause shown, he shall without any gainsaying pay a fifth portion of his prebend, at its valuation and just estimate, to the residents or to other necessary purposes as the Dean of the Church shall advise.

[*An Ordinance concerning Receipt of Produce.*]

If any of the Canons or Vicars at a distance shall have died before *Lætare Jersualem* [Mid-Lent Sunday][4] and has tilled the land of his prebend or his vicarage at his own charges, or has let it out for cultivation, he who will receive the produce of the year shall refund without

or "Vicars" employed only to serve the cathedral church at Old Sarum.

[5] *Lætare Hierusalem:* Mid-Lent Sunday; so called from the first words of the Introit ("*officium*" or "*ad missam antiphona*") for the day: taken from Isa. lxvi. 10, 11. (See *Missale Sarisburiense* (ed. 1861–83), p. 211.) "Dominica media (sive quarta) Quadragesime."

7 Jan. 1213–14. ualorem pretij illius diei in quo canonicus decedit. Si uero idem canonicus prebendam suam ad firmam liberauerit, et ante *Letare ierusalem*, vel post, firmarius decesserit, et terram prebende proprijs sumptibus excoluerit, canonicus siue alius fructus recipiens mortuo laborem plenarie refundet. Item, Si canonicus dominica qua cantatur *Letare ierusalem* decesserit, uel infra festum Sancti Michaelis, idem canonicus habebit omnes fructus terre tam seminate quam ad illum terminum seminande, et etiam fenum, preter illud inhok,[1] quod ad Warectum pertinet, de quo habebit defunctus duas garbas; et communa,[2] tertiam. Habebit etiam defunctus omnes decimationes, tam bladi, quam omnium aliarum rerum que decimari solent, infra festum Sancti Michaelis; et post illum
* E. f. 40. terminum, tertiam * partem totius prebende anni sequentis cum communa que duas partes habebit. Habebit etiam defunctus omnes redditus assisos, usque ad festum Sancti Michaelis post decessum suum.[3] Eodem modo si uicarius forinsecus post *Letare ierusalem* obierit, omnes fructus vicarie sue ad ipsum pertinentes, usque ad festum Sancti Michaelis, plenarie percipiet; saluo tamen seruitio quod ipse ad predictum terminum inueniet de fructibus uicarie.

Item, Si vero canonicus obierit in crastino S. Michaelis, uel post, infra dominicam qua cantatur *Letare ierusalem*, redditus illius termini in quo moritur accipiet, et omnes

[1] *Inhok:* Bishop Kennett defines this as signifying any corner or out part of a common field ploughed up and sowed (and generally fenced off) within that year wherein the rest was *warecta*, or fallow-land. The latter portion of the word he considers to be from *hoke*, a nook or corner. See his Glossary (in *Parochial Antiquities*), *sub voce*. See also *Notes and Queries*, 5th series, vol. x. p. 520. (J.) Trice Martin cites also "*inhokare, inhoc facere*, to enclose." *Inhokum* may be understood to mean any hook, nook, or corner, or part of a common field, ploughed up and sowed with oats, etc., and sometimes fenced in with a dry hedge, in that year wherein the rest of the field lies fallow and

any deduction the [cost of the] labour to him who has tilled the land on an estimate made up to the day on which the Canon died. But if the same Canon has set his prebend to farm, and the "farmer" has died before Mid-lent or after it, and has tilled the land of the prebend at his own charges, the Canon or other party who receives the crops shall refund the labour in full to the [estate of the] deceased.

Also, if a Canon dies upon the Sunday when [the introit] *Rejoice, O Jerusalem*, is sung [at Mid-lent], or in the Michaelmas festival, the said Canon shall have all the crops off the land already sown or prepared for sowing, the hay also, excepting that cantle [or enclosure, "*inholcum*"] which appertains to the fallow-land (*warecta*) off which the deceased shall have two out of every three sheaves and the common [estate of the Canons], shall take the other. The deceased shall have also all tithings of wheat, as well as of all other things tithable, up to the Feast of St. Michael; and after that term one third share of the entire prebend of the subsequent twelvemonth, sharing with the common [of the Canons] which will receive the other two-thirds. The deceased shall have also all assize-rents up to Michaelmas after his decease. In like manner, if an outside (forinsecal) vicar shall have died after Mid-lent, he shall receive in full all the crops of his vicarage which appertain to him up to Michaelmas, saving, however, the service which he shall find out of the fruits of the vicarage up to the term aforesaid.

Also, if a Canon shall have died on the morrow of St. Michael, or after it within the Sunday on which *Rejoice, O Jerusalem*, is sung, he shall receive the rents of that term in which he dies and all the fruits collected

common. (See *English Dialect Dictionary*, under "hook land" and "hitch field.")

[2] *Communa* (Reg. Osm.): the common fund of residents; spelt in this instance (and at line 8 on p. 46) "*communia*" (gen. "*communie*") in MS. E.

[3] "Et alias sic scribitur; Habebit eciam defunctus omnes redditus assisos de proximo termino post decessum suum. Verumptamen vsus est quod, defunctus canonicus habebit omnes redditus assisos illius termini quo decedit." (E. *in margin.*)

7 Jan. 1213–14.

fructus prius collectos, excepto antiquo implemento,[1] si quid illi prebende debetur, et tertiam partem prebende sue per annum sequentem. Ipsa uero prebenda in manus Decani et capituli accipietur. Et si ca†nonicus substitutus eam ad firmam uelit recipere, ipsam recipiet, prestita cautione soluendi pretium taxatum, ad ualorem et estimationem prebende sue, sine omni mutilatione. Miserum est enim et iniquum, bona commune, de qua tot pauperes sustentantur, mutilare, et tertiam partem defuncti fratris scienter diminuere. Si uero alius quam canonicus substitutus ad firmam per annum ipsam tenere uoluerit, prestita cautione soluendi pretaxatum precium ad statutos terminos, eam recipiet, et etiam prestita cautione fideiussoria quod canonicus substitutus per firmam ipsius nullum per eum sentiet in prebenda detrimentum.

† Reg. Osm., p. 112.

De Habitu et Honestate Clericorum Chorum Ingredientium.[2]

[2] MS. E. has the shorter title here: *Constitucio de habitu* ("Canonicorum" corrected to) *clericorum.*

De habitu et honestate clericorum chorum ingredientium, cuiuscunque sint gradus, ita statutum est, quod capas[3] habeant nigras integritate decentes, et ad minus talares, cum superpellicio cappe longitudinem † non excedente. Installati, pilliolis nigris utantur. Tam installati quam non installati, calciamenta habeant honestati et religioni conuenientia, et alia indumenta clericum decentia et in nullo reprehensibilia.

† E. 40b.

Horarum autem tempore, mutua in choro caueant colloquia nisi secretius eliciatur responsio, uel fiat interpellatio propter seruitium, vel alia negotia ecclesie facienda. Litibus, cachinnis, derisionibus, modis omnibus abstineant. Si qui vero in huiusmodi fuerint consueti,

[1] *Antiquo implemento*: this expression is used collectively of the farming "implements" which belonged to the land, and went with it; and for which, as each Prebendary had received it without paying, his executors could claim nothing. We generally meet with the expression in the plural, as in a subsequent statute: "De implementis præbendarum." (J.)

[3] *Capas*: these were the *choral* copes, which were large and full flowing cloaks of black woollen stuff. They opened downwards from the breast, and were sewn up as far as the throat, round which was a

previously, excepting the old fixtures [or farm implements] if there be any belonging to that prebend and one third of his prebend for the ensuing year. The prebend itself shall be taken into the hands of the Dean and Chapter. And if the Canon who is put in his place shall desire to take it on lease, he shall take it after giving a bond for paying the appraised price up to the value and estimate of his prebend without any curtailment. For it is mean and unjust to curtail the goods of the common fund, off which so many poor persons are maintained, and wittingly to diminish the thirds of [the estate of] a brother deceased. And if any one else than the Canon put in his place shall be willing to take it on farm for a year, he shall have it after giving a bond to pay the fore-appointed price at the stated terms, and giving in addition a bond of suretyship, that the Canon who is put in by his lease shall not sustain any loss in the prebend by his means.

(*Of the Choral Habit, and of Conduct in Choir.*)

Of the habit and seemly demeanour of clerks entering the choir, of whatsoever rank they be, it is thus determined: that they have black [choral] copes seemly and entire, and at least reaching the ankles, with a surplice in length not reaching lower than below the cope. Let those who are placed in the stalls use black caps.[4] Let both those who are installed and those who are not installed have such shoes as are befitting to decency and devotion, and other apparel befitting a clergyman and in no point deserving censure.

At the time of the [canonical] hours of service let them take care not to talk to one another in choir except to get an answer quite privately or to put a question arising out of the service, or to transact the proper business of the church. From quarrelling,

hood. (See Rock's *Church of our Fathers*, ii. 51; Chambers' *Worship in England in the 13th Century*, p. 25.) (J.) MS. *E.* reads *cappas.*

[4] At Bayeux no Canon in minor orders (nor any boy) might have his head covered. When a Canon had occasion to ask a question of the Precentor of Bayeux, he removed his *pilestum;* as did the Precentor in his turn (giving his staff to some bystander to hold) whenever he approached the Bishop.

7 Jan. 1213–14. et a maioribus reprehensi noluerint castigari, per Decanum et capitulum, pena arceantur grauiori. Ante et post tempus horarum, in choro seu presbiterio, mutuis non utantur colloquiis nisi de bonis moribus; et hoc uoce submissa; quoniam specialiter loca illa orationibus deputata sunt. In aliis autem ecclesie partibus, si uelint, colloquiis utantur. Sollicite tamen prouideant quod eorum colloquium omnimodo tumultu careat.

Preterea clerici singuli et uniuersi in ecclesia mutua studeant euitare colloquia cum feminabus, de quibus suspicio possit oriri, quoniam pro talibus non modicum ecclesie possit generari scandalum et detrimentum. Comestiones etiam et potationes cum huiusmodi mulieribus in ecclesia sub anathematis interminatione prohibentur.

Super conditione uicariorum in huiusmodi forma Carta a Decano et capitulo confecta est;—

Carta Decani et Capituli super condicione Vicariorum.[1]

15 Sept. 1214. Vniversis Sancte Matris ecclesie filiis ad quos presens carta peruenerit, Ricardus, Sarr' ecclesie Decanus, et eiusdem ecclesie Capitulum, salutem in uero Salutari: Noueritis nos unanimiter et concorditer subscriptam constitutionem super conditione uicariorum prelibate ecclesie fecisse in hunc modum:—

Cum aliquis uicarius ad aliquam uicariam presentatus
* E. f. 41. fuerit et admissus, de cetero * non poterit amoueri nisi de causa enormi et manifesta.

Quilibet uicarius singulis diebus denarium diurnum[2] recipiet nomine commune quicquid contingat de communa

[1] A transcript of this charter, *Super condicione uicariorum*, is entered at f. 30^{b} in the Dublin Consuetudinary, derived from Salisbury (MS. 710), and now preserved in the Cambridge University Library. It is found in the Osmund Register, p. 112 (i. 378, in the Rolls Series edition).

[2] *Denarius diurnus*: cf. St. Matt. xx. 12, from which chapter Bishops, Deans, and Chapters were fond of quoting the phrase, "*pondus diei et aestus*" (xx. 12), in their ordinances. By his will in 1267, Treasurer Rob. de Karevill bequeathed ½*d.* a day (*obolum diurnum . . . in perpetuum*) for the Vicars, in order to encourage their attendance at daily service. (*Sarum Charters*, p. 345.)

laughing and mocking let them utterly abstain. If any have acquired such habits, and if when reprimanded by their seniors they refuse to be corrected, let them be deterred by a heavier punishment inflicted by the Dean and Chapter.

Before and after service-time let them not engage in any conversation save of good character, either in the quire or the presbytery, and that in a subdued tone, since those places are specially set apart for prayers. In other parts of the church they may converse; only they must take diligent care that their talking be without any kind of noise.

Furthermore, the clerics, one and all, must endeavour to avoid all talking with women whereby a suspicion of scandal might arise; for assuredly no trifling disgrace and damage may accrue to the church therefrom. Eating and drinking in church with women of such character is forbidden under denunciation of anathema.

About the State of Vicars a Charter has been composed by the Dean and Chapter to the following effect.

TO all sons of holy Church to whom the present charter cometh, Richard [Poore] Dean of the Church of Salisbury and the Chapter of the said church send greeting in the true Saviour: 15 Sept. 1214.

Know ye that we have made with unanimous consent and agreement the constitution hereinunder written, on the condition of the Vicars of the said Church, as follows:—

Vicars not removable, save for just cause.

When a Vicar has been presented to a vicarage and admitted, he cannot afterwards be removed, save on a grave charge and for an open offence clearly proved.

Daily Allowance to Vicars.

Each Vicar day by day shall receive his penny a day under the head of commons, whatsoever may be forth-

canonicorum. In festis uero duplicibus, et in tribus diebus rogationum, duos denarios nomine commune percipiet, et in die octauarum Assumptionis beate Uirginis, et in festo Sancti Martini. Cum autem canonicus residens fuerit, nihilominus uicarius eius predictam communam recipiet; sive fuerit ad mensam eius, sive non.

Cum uero uicarius de itinere redierit, communam illius diei recipiet, quacunque hora venerit. Siquis uero uicarius forte matutinis non interfuerit, rationabili causa impediente, nihilominus communam illius diei percipiet.

Si quid legatum fuerit canonicis specialiter, uel alicuius boni uiri dono collatum, soli canonici illud percipient.

Si quid legatum fuerit uicariis specialiter tanquam uicariis, vel alicuius boni uiri dono collatum, soli uicarii illud percipient.

Si quid legatum fuerit commune, vel alicuius boni uiri dono collatum, sine expressione canonicorum uel uicariorum; tantum inde uicarius, quantum at canonicus residens, percipiet.

Et si forte canonicus, uel uicarius, absens fuerit pro negociis ecclesie; per considerationem capituli, dum absens fuerit, communam percipiet et expensas necessarias.

* Osm. Reg. f. lvij.

Quod ne posteris ueniat in dubium, * et ne alicuius possit machinatione conuelli, hanc constitutionem sigillorum nostrorum appositione duximus roborandam. [Sealed, 15th September, 1214.]

Dat. per manum Hugonis,[1] cancellarii; anno ab incarnatione Domini 1214, xvii. calend. Octob. [September 15.]

[1] Hugh de Garhurst, Chancellor of Sarum Church, 1207–1220.

coming from the commons of the Canons. But on double feasts and on the three Rogation days, he shall receive two pence under the head of commons: on the octave day of the Assumption of the Blessed Virgin [22nd August] likewise, and on the feast of St. Martin [11th November]. And when a Canon is in residence, his Vicar shall receive the forementioned commons all the same, whether he dined at the Canon's table or not.

When a Vicar returns from a journey, he shall receive the commons of the day of his arrival, whatever time of day he come. If any Vicar chance to be absent from Mattins, being hindered from attendance by a reasonable cause, he shall enjoy the commons of that day notwithstanding.

On Legacies, how to be appropriated.

¶ If anything has been bequeathed to the Canons specifically, or conferred on them by the gift of some good man, the Canons and none else shall enjoy it.

If anything has been bequeathed to the Vicars, as such, specifically, or conferred on them by the gift of some good man, the Vicars and none else shall enjoy it.

If anything has been bequeathed to the common fund, or conferred on it by the gift of some good man, without express mention being made of "Canons" or "Vicars," a Vicar shall enjoy an equal share with that which a Canon when residing does.

Expenses allowed to Canons or Vicars when absent on the Affairs of the Church.

And if a Canon or a Vicar has been absent about the business of the Church, he shall by consideration of the Chapter receive the common allowance and his necessary expenses.

That this may not come into a matter for doubt for future generations, and that it be not wrested aside by the machinations of any person, we have thought good that this constitution be corroborated by the affixing of our seals.

Given by the hand of Hugh [de Garhurst] the Chancellor in the year after the Incarnation of our Lord, 1214, xviiith of the Kalends of October [September 15th].

Statutum de Visitacione Prebendarum per Decanum.

Si in aliqua prebenda, aliqua fuerint enormia seu notoria, et per negligentiam uel impotentiam canonici seu procuratoris eius durauerint inemendata, dominus Decanus, seu alius ab eo missus, uisitationem faciet, erratataque corriget, capellanorum mores et ordinationes inquiret, et si opus fuerit correctionis stimulum apponet; dilapidata et dispersa recolliget, librorum uestimentorumque defectum de bonis prebende supplere faciet, et ad libitum ipsius unius diei procurationem laute percipiet.[1]

Nomina canonicorum qui presentes fuerunt in crastino Epiphanie quando predicta Noua Constitutio facta fuit:—

Ricardus, Decanus
Robertus, Precentor
Hugo, Cancellarius
Thomas, Thesaurarius
Adam. Archid. Dors
Hunfridus, Archid. Sarr'
A[lbericus] Archidiac. Berksir
Magr. Ric. Archid. Wiltes
Magr. Th. subdecanus
A. succentor
Gilebertus de Lacy
Philip. de Hauekech'
Johan de Meones
Rob. de Samford
Magr. Magnus
Dan. de longo campo
Galfrid. de Winton
Magr. Wills. de Wylton
Joh. Auenant
Magr. Wills. de Teile
Gregor. de Cumb'
Phil. de Scō. Edwardo
Rob. Coterell'
Herbertus [de Bedewynd]
Alex. de Winesham
Stephanus Ridell (litteratorie)[2]
Roger. de Basingeham
Abbas de Sireburn
Abraham, capellanus
Ricardus, persona
Willielmus de Winton
Galfridus de Burgo
Robertus de Brimton
Hugo de Templo
Magr. T. de Haselberg
Elyas de Bristollis
Galfridus de Bocland
A.[3] Archid. Cantuar'
Bartholom. Archid. Winton

[1] This section is usually quoted as "Statutum de visitatione præbendarum per Decanum." See Lib. Evid. C. No. 478. (J.)

[2] *We read* "litteratorie" *with the MS.* Osmund Register.

[3] In the series of Archdeacons of Canterbury, Hardy gives *William* de Wrotham as holding the office from 1206 to 1227.

On the Visitation of Prebends by the Dean.

¶ If on any prebend there be any grievous or notorious offences, and through the neglect or inability of the Canon or his proctor they remain uncorrected, my lord Dean, or one sent by him, shall hold visitation, and shall correct what is amiss, shall examine into the behaviour and regulations of the chaplains, and, if need so require, shall apply the stimulus of correction, shall call into order what is broken down or squandered, shall cause any deficiency in books and vestments to be supplied out of the goods of the prebend, and shall enjoy one day's procuration sumptuously at his pleasure.

¶ The names of the Canons who were present on the morrow of Epiphany when the said New Constitution was made [January 7th, 1214–15; see p. 40, above] are these:

Richard, Dean
Robert, Precentor
Hugh, Chancellor
Thomas, Treasurer
Adam, Archdeacon of Dorset
Humfrey, Archdeacon of Salisbury
A[lberic], Archdeacon of Berkshire
Master Richard, Archdeacon of Wiltes
Master Thomas, subdean
A[nastasius], succentor
Gilbert de Lacy
Philip de Havekech
John de Meones
Robert de Samford
Master Magnus
Daniel de Longchamps
Geoffrey de Winton
Master William de Wilton
John Auenant
Master William de Teille
Gregory de Coombe
Philip de Sancto Edwardo
Robert Coterell
Herbert [de Bedewin]
Alexander de Winecham
Stephen Riddell (by letter)
Roger de Basingeham
The Abbot of Sherborne
Abraham, chaplain
Richard, parson
William de Winton (*sic*)
Geoffrey de Burgh
Robert de Brimton
Hugh de Templo
Master Thomas de Haselberg
Elyas de Bristol
Geoffrey de Buckland
A[?] archdeacon of Canterbury
Bartholomew, Archdeacon of Winchester

De Donatione Cancellario facta pro Libris corrigendis.
[Lib. Evid. C. 79; MS. E., p. 35.]

A.D. *c.* 1220. Conuenit inter dominum Ricardum episcopum Sar' et magistrum R. cancellarium Sarum, quod dominus episcopus concessit ei toto tempore vite sue illam virgatam terre que solet pertinere ad correctionem librorum ecclesie Sar', ut cancellarius de censu proueniente ex predicta terra fideliter et diligenter libros corrigat. Ita tamen quod nullus successor predicti cancellarii poterit cancellarie propter hanc conuentionem ius aliquid in predicta terra uendicare sed dominus episcopus post decessum predicti cancellarii poterit eam conferre cuicunque canonicorum voluerit, ad correctionem predictorum librorum.

Additional Note on p. 33, n.[e]: "*Prostrati* veniam *recipere.*"—Each guilty member of the society was required by its rules to acknowledge his fault publicly at the family gathering "in Chapter," and to do so in a posture of humiliation, craving and receiving his sentence or penance, "*usque dum satisfactione congrua* veniam *consequatur*," as the Rule of St. Benet prescribes (*cap.* xxiv.) in the case of a monk who is, as we say, "sent to Coventry" while he takes a deferred meal. The penance enjoined on an adult in many cases often in itself likewise consisted of certain prostrations ("*inclinationies*"), or genuflexions, which came to be called in Latin "*veniae*" (*lit.* pardonings), and in Greek *metanoiai* (*lit.* repentances). For the kneeling or prostrate posture was at once a token of his penitence and a necessary condition for his restoration to favour in the community. A junior culprit, as he knelt before the President in Chapter, and cried "*Peccavi*," might be "*justified*," *i.e.* brought to summary execution (and thus to amnesty and restoration), by what Bishop Moberly once called a "short, sharp and *in*cisive" castigation.

Of a Gift made to the Chancellor for amending the Books. (*Cir.* 1220.)

Agreement hath been made between Richard lord Bishop of Salisbury and Master R[ob. de Hertford] Chancellor of Salisbury that my lord Bishop hath granted him for the whole time of his life that virgate of land which by custom [*see above*, A.D. 1180, p. 39] appertains to the correction of the books of Salisbury church, in order that the Chancellor may amend the books faithfully and diligently out of the income issuing from the land aforementioned, on such terms that no successor of the said Chancellor can claim for the office of Chancellor any right in the said land by reason of this agreement, but the lord Bishop may after the decease of the said Chancellor confer it upon any of the Canons at his pleasure for the correction of the books aforesaid.

[It will be seen below, pp. 368–9, under 22nd Jan., 1535-6, that in the twenty-seventh year of King Henry VIII. the resident Canons decided on oath that the book then known as "the *Customary of St. Osmund* was authentic," and that "credence was to be given thereto."

More recently, 28th October, 1884, the Commissioners of H.M. Queen Victoria, in their Report . . . upon the Cathedral Church of Salisbury (signed by Dean Boyle and

Additional Note on p. 33, n.[7]: "*Degradari . . . post Decanum, vel, in choro, ultimi choristarum.*"—At one of Dean Chandler's visitations of the Cathedral body, in 1409, a guilty Vicar was set to stand *ultimus choristarum in forma penitentiali*, and was directed to take his commons, not in the town, but in the Vicars' Hall. Another, who had drawn his knife upon a comrade in the Lady Chapel, was to repeat, as a penance, the Seven (penitential) and Fifteen (gradual) Psalms and Litany in the chapel during mass, and to begin after the Gospel was ended. Others were sentenced to attend all services with their heads bared, instead of wearing the distinctive cap. (*Dean Chandler's Register*, ff. 38–40.)

Archdeacon Lear, as well as six other Commissioners, explain that of the Consuetudinary of St. Osmund, "as 're-edited' in the thirteenth century, a copy exists in what is called the Osmund Register, and this has lately been published in the 'Rolls Series' of books." It was edited by Canon W. H. Rich Jones, in two vols., 1883-4, of which vol. i. is occupied (pp. 1-185) with the Latin text of the Customs of Salisbury Church, an English translation thereof, and notes. It is therefore unnecessary to reproduce the whole in our present collection; but we ought to mention that a more scholarly edition of the Latin texts of "the Sarum Customs as set forth in the Consuetudinary and Customary," with an introduction and a most helpful index (*raisonné*) has been edited for the Cambridge University Press, by Dr. Walter Howard Frere, as the first volume of his *Use of Sarum*, in 1898. The subsequent volume of that work contains "the Ordinal and Tonal."

We give here merely so much as seems almost indispensable in a book like the present—little more, in fact, than was transcribed on to the supplemental pages of MS. *E.* of the Statutes.]

The Duties and Dignities of the Persons.

Osmund Reg. (R.S.), i. 2; Frere, *Use of Sarum*, i. 1 (Camb. Univ. Press, 1898).

(Explained by R. Poore, Bishop, 1217-1228.)

THE *Personæ* and their duties, the dignities and the customs by which the Church of Salisbury is ordered and regulated according to the Institution of Bishop Osmund, its founder of blessed memory, the present treatise explains.

Of the Personæ established in the Church of Salisbury.

The Principal Persons then in the Church of Salisbury are four: Dean, Chanter, Chancellor, and Treasurer.

There are also four Archdeacons, viz. Archdeacon of

Dorset, Berkshire, and two of Wiltshire. Besides these there is a Subdean. A Succentor. c. 1217–28.

Of the Duties of the several Persons.

The duty of the DEAN it is, seeing that he is pre-eminent "over all the Canons and Vicars in spiritual rule and correction of manners," [1] to hear all causes which relate to the Chapter, and by the judgement of the Chapter to determine them; to correct the trangressions of the clerics, and to visit with due punishment the persons of offenders, according to the measure of the fault and with consideration of their personal standing.

Moreover, the Canons receive from the Bishop institution, and from the Dean possession of their prebends.

It belongs also to the Dean to bestow upon the Canons after they are instituted the common distribution of the Church in his own right, and to assign them a stall in the choir and a place in the Chapter.

To provide with suitable clerks, any vacant vicarages on presentations made by the Canons either present in person, or else, if they be absent, provided that such absence is excused by a just or reasonable cause for which permission is given by the Dean and Chapter. But if any vicarship is vacant while the Canon is absent beyond seas for any cause, the Dean may confer it upon any suitable clerk he pleases, on his own authority, independently of consent from the absent Canon himself

Furthermore, no one of the clerks of the higher step, or of the second form, is admitted in choir, except by the Dean's authority.

Furthermore, on every double feast, in the Bishop's absence, and on the first Sunday of Advent, and on Palm Sunday, and on Ash-Wednesday, and on the three days before Easter, and on Whitsun Eve, and on anniversaries of Bishops and Deans of the Church, he is bound to perform Divine service [and to celebrate].[2]

[1] A quotation from St. Osmund's *Institution Charter*. (See p. 28.)

[2] "Et celebrare": MSS. H. B.; S. and D. *omit*. Nor does J. de Grandisson give these two words in *Ordinale Exon.*, i. p. 3.

Of the Chanter [or Precentor]'s Duty.

The duty of the Chanter is "to rule the choir in respect of raising or lowering the pitch of the chants,"[1] and "to set down in order on the table of services the singers"[1] and ministrants of the altar. To him also belongs the instruction and discipline of the boys, as well as their admission and ordering in the choir.

Furthermore, he is bound to be present on greater double feasts, and to take his part at ruling the choir, at the mass only, with the other rulers of the choir. And further, on every double feast he is bound to instruct the other rulers of the choir respecting the setting and beginning of the chants. Also, in his own person to indicate to the Bishop all chants which it is the Bishop's duty to begin.

Of the Chancellor's Duty.

It is the duty of the Chancellor to give his attention to "ruling the schools and correcting the books, to hear the lessons read and bring them to an ending,"[2] to keep "the seal of the church, to compose letters and documents"[2] to read such letters as have to be read in Chapter, "to mark down the names of readers[3] on the table of services,"[2] and to notify (*or* set, *iniungere*) those lessons at mass which are not written on the table of services.

[1] Phrases quoted from St. Osmund (pp. 29, 33, above). The Precentor "shared with the Chancellor the responsibility for the *Tabula*, and arranged the assignment of the duty of singing and serving to various persons." But it is left "uncertain at times whether discretion," in the cases where any such discretion was left, "rests with the Precentor or with the Ruler of the choir." In very many instances the rules as to the *Tabula* left no one any choice as to the persons to whom the several duties were to be assigned on an occasion. (*Use of Sarum*, i. 282, Index.)

[2] Phrases quoted from St. Osmund, *ubi supra*. Only the original charter assigned to the *Archischola* the duties about lessons, and the seal and letters, and papers. (See p. 32.)

[3] Instead of *readers* ("lectores"), MS. Harl. No. 1001, *cir.* 1310, reads *rulers* ("rectores"). At Exeter, however, the Precentor arranged the *ministros altaris*. The other MSS. uphold the usual custom of cathedrals, that the Chancellor should control the reading, as the Chanter does the singing. No proof has been noticed to show that the Chancellor here had any official deputy, such as a Vice-Chancellor. It is noticeable that in all MSS. of the Consuetudinary, excepting *D.*

Of the Treasurer's Duty.

It is the Treasurer's duty to keep [*or* attend to][1] the ornaments and "treasures" of the church.

"To furnish lights";[2] that is to say, on the first Sunday in Advent 4 candles at both evensongs and at mattins and at mass: viz. 2 on the superaltar, 2 more on the step before the altar. So also let it be done on Palm Sunday. But on all other Sundays throughout the year and whenever the choir has rulers and the invitatory is sung by two persons only, he ought to find 2 candles at the least at first and second evensong, at mattins, and at mass, but on [all] the Sundays 4 candles at mass. On Christmas Day he must provide for both evensongs and for mass 8 candles, each of them of a pound weight at least, about the altar, and 2 candles before the image of the Blessed Mary; at mattins, the same number. And 6 others besides, high up (*in eminencia*) before the relics and the crucifix and images set in that place. And on the crown (*corona*) before the altar [*al.* before the choir-step] 6 (*al.* 5), each of them of half a pound weight at least, and 6 (*al.* 5) above the wall behind the pulpit where lections are read.

Let the same directions be observed on all double feasts which have a procession.[3]

It is also the Treasurer's duty to provide 7 candles for the brasen candlestick from Pentecost to the Nativity of B. Mary and on [her] Nativity itself [Sept. 8th], but on other lesser double feasts, 4 about the altar and 2 before the image of B. Mary at both evensongs and at mass; at mattins 3 besides in the crown (*corona*), and 3 behind the lectern (*pulpitum*).

the "table" or wax-brede appears to have had more than one employed in its composition. (See account of the "tabula" for Christmas Day: Frere, *Use of Sarum*, i. 106.)

[1] "Conseruare": MSS. *S.* and *D.*, and Customary; "obseruare": MSS. *H.* and *B.*

[2] Words quoted from St. Osmund's *Institution Charter*, p. 29, *supra*.

[3] A list of 24 days or occasions when there is a procession is given in Dr. Walter Howard Frere's *Use of Sarum*, i. 5. It closes with the proviso, "whensoever their feasts happen on a Sunday, let them have a procession," on which see Dr. Frere's observations in his index at p. 302, col. 2, sec. (*c*).

Whenever the invitatory is said by three persons, as well as on Thursday, Friday, and Saturday in Easter week and Whitsun week, the same service in respect of candles is demanded as on the first Sunday in Advent. On Maundy Thursday, as on Sunday at mass. On Good Friday and on every feast of three lessons when the invitatory is double, it is his duty to set out 2 candles for mass. On every weekday (*feria*) throughout the year, 1 candle only at mattins, viz. at the choir-step; but 2 candles for mass. On Easter Eve and Whitsun Eve as many at mass as on greater double feasts.

Furthermore, on Good Friday, after the Lord's Body has been laid in the sepulchre, two candles of half a pound at least from the treasury shall burn all the day before the sepulchre. On the night which follows and so onwards until the procession which takes place on Easter Day before mattins, one of those 2 candles only shall be kept alight.

Also the great paschal candle [he shall provide].

Furthermore, the Treasurer is bound to provide a mortar-light every night in the year before St. Martin's altar.[1] Also another before the doors of the western gate of the choir while mattins service is fully done.

The Treasurer is bound also to furnish forth the sacrists at his proper cost. Also to manage the bell-ringing in a manner befitting the church; to keep them hung in fitting condition, and to provide things needful for their use. To repair the ornaments of the church at his own cost. To provide bread, wine, water, and candles (*candelas*) for each of the altars of the church, except the parish altar. To get incense, charcoal, straw, rushes, and reed-mats (*nattas*) for all the year: viz. rushes for Ascension Day, Pentecost, St. John Baptist's Nativity, and the Assumption and Nativity B. Mary; straw for All Saints' Day, Christmas Day, and the Purification of the B. Virgin, and on Easter Day; reed-mats for All Saints' Day.

[1] The altars of St. Martin and St. Katharine stood in the N.-E. transept, now usually called the "Morning Chapel." The stone lavatory from the vestry was removed in the XVIIIth century to what was probably the site of St. Martin's altar.

The Archdeacons' Duty.

Archdeacons are officials of the Lord Bishop, and their office consists in administration external [to the Church and Chapter of Sarum].

The Subdean's[1] *Duty.*

The Subdean's[1] duty it is, "if the Dean is not forthcoming to the church, to supply his place";[2] [and] to exercise the care "of an archdeaconship in the city [of Salisbury] and its suburbs."[2]

The Succentor's Duty.

The Succentor's duty it is "to supply the place of the Chanter when he is absent,"[2] [and] to manage the song-school through his official.

Of the Privilege of Personages and Canons in the Church of Salisbury.

The privilege of the Dean it is, that none of the Canons or of the other clerks of the church may be let blood without his permission, nor leave Salisbury with the intention of staying a night away. Furthermore, when the Dean comes into the quire or the Chapter [house], or passes across the place, all clerks are bound to rise, and those who enter the quire from the west entrance, or go out by it, are bound to make a bow to him.

"It is the Dean's privilege . . . [his] own domain" (as on p. 29).

Furthermore, each Canon who obtains a prebend is bound to pay one ounce of gold to the Dean, and forty shillings, or a day's provision[3] to the Canons, for love's sake.

"And if any of the Canons shall be in attendance . . .

[1] The MSS. of the Sarum Customal, which was a fourteenth-century development from the Salisbury Cathedral Consuetudinary, adapting it for use in parish churches and for later cathedral usage, exhibit in the title of this chapter, or in its text, or in title and text alike, the curious variant *Subdeacon* (Subdiaconi) for *Subdean* (Subdecani). (Frere's *Use of Sarum*, i. 7.)

[2] Phrases quoted from St. Osmund's Institution Charter (see p. 31, *supra*.)

[3] *Procuracionem*: provision, maintenance.

for the space of one year." (St. Osmund's *Foundation Charter*, as on p. 21, *supra*.)

In addition thereto, all burial dues "with the offerings which are brought to the Bishop when celebrating mass in the church of Salisbury, excepting one moiety of the gold."

"If my lord Bishop shall have been dedicating . . . prebend in each case belongs." (St. Osmund's *Institution*, as on p. 31, *supra*.)

Furthermore, if the Dean or any Canon is passing through a prebend, the Canon who holds that prebend, whether he be himself present there or not, ought to provide him of right and privilege, so as to make honourable provision for him for one night. And if, owing to the fault of this Canon or his servant, the Dean or his servant, the Dean or the Canon aforesaid be not received with suitable attention as a guest, let the expenses of that night be repaid in full to the Canon who makes complaint about it, as the Chapter shall decide. A Canon shall be bound also to exercise the grace of hospitality towards his brother Canon for one or more nights; and, if there is manifest reason, he shall find him horses as far as Sarum.

Of the Residence of the Personages and Canons; and other Customs of the Church of Salisbury.

"That a Dean and a Chanter . . . the third part of a year" (as in St. Osmund's *Institution Charter*, pp. 27, 29, above).

"When any one is constituted a Canon . . . make oath . . . customs of the Church of S." (*ubi supra*, p. 29).

When a Canon dies all the proceeds (*exitus*) and obventions and incomings of his prebend for the whole term in which his death has occurred are due to him. Likewise, the rents of the term next following, and the obventions of the first day of that next term.

There are four terms, viz. Michaelmas term, Christmas, Easter, and that of the Nativity of St. John Baptist.

Furthermore, when the term in which the Canon died is past, he[1] receives one third of the entire prebend for the ensuing year; but from this third the stipend of the Vicar

[1] "He"; *i.e.* the deceased Canon's estate or his executors.

of the prebend is due for the year following. Let the residue be disbursed for the use of the poor, or in some other manner according to the directions of the deceased. Furthermore, for a Canon deceased it is decreed that service of thirty days be done in the community (*in conventu*), and that each of the presbyters severally should celebrate a trental. That the others, of whatsoever order they be, should sing 20 psalters severally, and that the year's mind (*anniversarium*) be celebrated by each privately in his own week of duty.

Of the Punishment [al. *Penance*] *of Delinquents.*

"The elders are to be besought . . . more austere" (as in St. Osmund's *Institution Charter*, p. 23, *supra*).

Of the Stalls of Personages in the Choir of Sarum Church.

The stalls of the four principal persons of the choir of Salisbury Church are at the extreme ends (*sunt terminalia*).[1] At the entrance of the choir on the west, the Dean's stall is on the right, the Chanter's on the left. At the east end, the Chancellor's stall is on the right hand, and the Treasurer's is opposite. Next to the Dean's stall in choir stands the Archdeacon of Dorset; after him, the Subdean; next to the Chancellor, is the Archdeacon of Wiltshire.[2] In the middle space, stand the Canons

[1] This phrase ("*sunt terminalia*") may imply that there was a screen or "shade" at the elbow of the four chief dignitaries' seats.

The Customary, which borrows this description ("*de ordinacione chori Sarum*") for the instruction of other churches, specifies that the *Personae* and the Archdeacons, Subdean, etc., are placed on the upper step. It proceeds, in some copies, to specify the arrangement for conventual or parish churches. (W. H. Frere, *Use of Sarum*, i. 14 (§ 11[a]).) "The stalls of the two principal persons in *conventual* or *parish churches* have ends to them; at the entrance of the choir from the west, the stall of the more excellent person is on the right (like the Dean's stall in cathedral), and that of the secondary person is on the left hand (answering to the Precentor's in cathedral). Then on the right stand next in order presbyters and other clerks, who in virtue of age and conduct are allowed (*tollerantur*) into the upper top step by dispensation. Next them, further westward, let the other, younger, clerks stand. And they are called clerks of the second bench. If there are any boys, let them be standing on the floor level (*area*), and they are called clerks of the first [MS. *Arundel* 140 *reads* 'second'] bench (*forma*). The opposite side is similarly arranged." (*Use of Sarum*, i. 14.)

[2] Now styled "Archdeacon of Sarum."

nearest to the dignitaries. Then the Vicars in Priest's order, and just a few in Deacon's order who are allowed to be in the upper row by dispensation in consideration of their age and character. Next the Chanter the Archdeacon of Berkshire [1] stands in choir; then the Succentor. Next to the Treasurer the [other] Archdeacon of Wiltshire; then the other Canons and the Clergy arranged in the manner aforesaid.

In the second bench let the junior Canons be placed, then Deacons, and after them the other boys [*al.* clergy].

In the first [*or* front] bench, Boy Canons are placed, and after them the other Boys according as their age requires.

Of the Clergy entering and leaving the Choir.

Let clergy entering the choir so comport themselves that when they enter at the east end they bow first towards the altar, and afterwards to the Bishop if he is present. When they enter at the west, they bow first towards the altar, and then to the Dean. With the same reverential behaviour let them leave the choir.

At what Point it is lawful to come into Quire at various Hours of Service.

Clergy may come into choir until the hymn is done at Mattins or any other Hour of Service for which an office hymn is appointed at the opening.[2]

But at Evensong they may come in down to the third or fourth verse of the first psalm, and at Compline likewise:—*i.e.* such clerks as have been at the Evensong preceding it. Under other circumstances they must not come into choir at Compline or at the Vigils of the Dead.

In Lent, however, they may come in at Compline on the same condition as at Evensong at the other seasons of the year.

At the Vigil of the Dead and at Collation (-reading), at any time. At mass they may come in up to the first collect. At the other Hours which follow mass immediately

[1] The Archdeaconry of Berks was transferred to Oxford diocese by Order in Council, 5th Oct., 1836.

[2] At mattins, prime, terce, sext, and nones the hymn comes early in the service. At lauds, evensong, and compline it follows the psalmody and Gospel canticle.

no one may come in who has not been at mass. In Lent, however, those who have attended at the Hours of the day (though they may not have been at mass) on ferial days when the service is of the feria, may come into choir for Evensong; and on feasts of nine lessons they may do so notwithstanding that they may not have been previously at any of the Hours of the day. And any one may join the procession at any season of the year, although he may not have been present at any hour previously that day.[1]

Of the Crossing of the Clerks from one Side of the Choir to the other.

Furthermore, if a clerk passes from one side of the choir to the other, let him bow to the altar in going and returning. And when they come in let the clergy betake themselves in orderly manner to their places, not leaping over the benches disorderly. Let them observe the same order when they go out of the choir.

Let no sound be made in choir by the clerks,[2] nor let there be any talking between them, save what is necessary.

[It will be found that the principal ruler of the choir was required to apply to the Precentor in the course of the service for his directions as to the music. (*Use of Sarum*, i. 37, 38.)

The Consuetudinary proceeds to give rules as to the times or parts of the service when occupants of the different parts of the choir are to stand, to turn to the altar, to prostrate themselves or to sit. Their choir-habit —black choral copes, silk copes over surplices for procession, black almuces, white dalmatics and tunicles at mass, white or red vestments or copes. As regards the colours of the vestments, the derived Consuetudinaries of certain other Uses, specially Exeter and London, are more explicit than their Sarum prototype. The Sarum Customary has a few additional details, and in particular the MS. at Corpus Christi College, Oxford (MS. 44) written at the end of the fourteenth century, but containing a rule

[1] Cp. the regulation respecting Chaplains of St. Nicholas' Hospital and others, in 1319, cap. xli. in Bishop Roger de Mortival's code.

[2] In the fifteenth century the noisy turning back and letting down again of the hinged seats, or misericords, was a frequent ground of complaint.

belonging "at latest to the first half of the XIIIth," has a section printed by Frere (*Use of Sarum*, i. 26 *n.*; cf. 285 (Index)), to the following effect.:—]

On Christmas Day, the Epiphany, Easter Day, Whitsunday, Ascension Day, Trinity Sunday, the feasts of Relics [Sunday next after July 7th],[1] Assumption [August 15th], the Dedication [September 30th], and All Hallows [November 1st], the rulers of the choir use the most sumptuous copes (*capis solemnioribus*) of colours medley. The attendant ministers of the altar use in like manner the (best) dalmatics and tunicles; excepting that on the Epiphany it matters not of what colour dalmatic and tunic be, provided that they have stars upon them.

Also for the three days immediately following Christmas Day, and on the Monday and Tuesday both of Easter week and of Whitsun week, they use the next most sumptuous copes. However, on St. Stephen's Day and Innocents' Day, and their octaves, they wear red dalmatics and tunicles. And on the feast of St. John the Evangelist in Christmas week they wear white (*albis*) dalmatics and tunicles, and on the octave they wear dalmatics and tunicles of the same colour with white copes. And on Monday of Easter week, and Monday of Whitsun week white dalmatics and tunicles must be worn.

On the feasts of the Circumcision, Purification, and Annunciation, and from Wednesday in Easter week and Whitsun week, and for the remaining days of those weeks, and through Ascension octave and on the octave day of the same, on all Sundays and other feast days in Eastertide [*i.e.* to Whitsun Eve], excepting only the Invention of the Cross [May 3rd], also on the Nativity of St. John Baptist [June 24th], within the octaves and on the octave day of the Assumption [August 16th–21st] and Nativity [September 9th–15th] of Blessed Mary, and on her Conception [December 8th] and on her Commemoration [usually on Saturday],[2] on both festivals of St. Michael [*Dedication*, Sept. 29th, and *in monte tumba*, 16th Oct.] and on the

[1] The Feast of Relics at Salisbury in earlier times had been kept in September; but by a statute (cap. 38) of Bishop Roger de Mortival in 1319, it was transferred to the Sunday after the Translation of St. Thomas of Canterbury.

[2] Exceptions were noted in the *Ordinale*, the rubrics, and the Pye.

octave of the Dedication and also on feasts of virgins and of St. Mary Magdalen [July 22nd] the rulers of the choir and the ministers of the altar wear white (*candidis*) vestments.

Within the octave of the Epiphany and on the octave day itself [January 7th–13th], and on both feasts of Holy Cross, *Invention* [May 3rd]; *Exaltation* [September 14th], and on all others of Apostles or Evangelists, or Martyrs out of Easter-tide, and on all Sundays of that tide whenever the service is of the Sunday, and while tracts are sung,[1] they wear red copes, dalmatics, and tunicles.

At masses of the dead, at times when ministers of the altar wear dalmatics and tunicles, they wear black ones only.[2]

On Easter eve and Whitsun eve, and when the genealogies are sung,[3] they wear dalmatics and tunicles striped across (*ex transverso stragulatas*).

On Wednesday in Whitsun week they wear green dalmatics and tunicles.[4]

[On all feasts of one or more confessors they wear silk copes of saffron colour. (*Use of Sarum*, i. 27, 64.)]

[They wear red vestments also on Ash Wednesday and Maundy Thursday. (*Id.*, i. 63. As Dr. Frere says, this is "a recasting of the older rule," i. 285.)]

[1] *Tractus:* Verses of Scripture sung after the Gradual at Mass in the solemn season between Septuagesima and Easter Even, during which the Alleluia was not sung; and at services of the departed, etc. These "tracts" were so called because they were not interrupted by any interchange or responsive singing, the whole being sung from beginning to end by the cantor.

[2] The Harleian MS. 1001—a Sarum Ordinal and Consuetudinary, *cir.* 1310—prescribes, however, that at a *missa pro corpore presente*, or at the trental or the year's mind of any deceased Canon of the Church of Sarum, all the ministers were to go to the altar in albs, with the exception of the priest, deacon, and subdeacon, who were to wear (respectively) chasuble, tunicle, and dalmatic of white silk as on a double feast. The four clerics of the second bench, appointed to sing the Tract *Sicut cervus* (Ps. xli., *Vulg.*) and *De profundis* (Ps. cxxix., *Vulg.*), were to wear silk copes as on Septuagesima Sunday. (*Use of Sarum*, i. 212; cf. *Missale Sarum*, 864*, 865*.)

[3] Genealogies were sung, (1) on the night of the Nativity of our Lord, and on the Conception and Nativity of B. V. Mary (from St. Matthew i. 1–16); and (2) on the night of Epiphany (from that from St. Luke iii. 21–iv. 1).

[4] An old chasuble, still preserved in Salisbury Cathedral Church, is of a green suit.

On the Arrangement of the List for Sundays.

The list (*tabula*) for Sundays should be thus arranged—

1. Rulers of the choir; viz. Canons, according to their order, as their names are entered in the roll (*matricula*) of the church; in pairs; for 15 days.
2. Clerics to read the lections and sing the responds (to lessons), to be entered as placed on the list by the Precentor himself.
3. The boy to read in Chapter for the week; viz. one of the bigger boys (*pueri maiores*).
4. Who are told off to take the candlesticks; viz. two smaller boys (*pueri minores*).
5. The censers; viz. two acolytes.
6. The water; viz. a smaller boy.
7. The cross; viz. an acolyte.
8. For mass:—two boys to sing the grail.
9. The *Alleluya*, two of the top step.
10. To sing mass [the priest].
11. To read the Epistle (the "sub-deacon").
12. To read the Gospel (the "deacon").

Canons' names only (not those of vicars, etc.) are to be put down for these duties, and in the order in which they are on the roll (*matricula*).[1]

The foregoing arrangement takes place (*locum habet*) on all Sundays, and on simple feasts of nine lessons not falling within an octave. On Palm Sunday some additional entries must be made, viz., two of the second bench to carry the reliques in the procession; three of the said bench for *En Rex venit;* seven boys for *Gloria, laus et honor;* three priests for *Unus autem.*

[From the preceding rule the reader might suppose

[1] At Hereford, unless there was absolutely no *sacerdos canonicus* in the city, when only the senior Vicar was allowed the privilege, no one but a Canon in priest's order, except the *Vicarius Decani*, might celebrate at the high altar. The Bishop of Hereford also had a *Vicarius*, but he had a prebend and canonry attached to his office. *Statutes* (Bradshaw and W.), 73, 58. At Lincoln an Archdeacon, or even one of the principal *Personae*, might not say mass at the high altar unless he were a Canon holding a prebendal stall. (*Id.* iii. 167.)

At Exeter, as late as 1500, his Vicar was allowed to act as *rector chori* for a distant "non-residentiary," such as the Archdeacon of Cornwall or a prebendary whose turn came round in the *matricula* or roll of clergy. We do not find any Vicar "tabled" as celebrant for high mass in the "tabula communis," of which the extant fragment, edited by H. E. Reynolds, runs from Monday in Holy Week to Ascension-tide.

that the Precentor had a free hand for selecting the names for his list. He was, however, bound by numerous rules, of which the following may here suffice to give an idea of the *tabula dominicalis*. (The *tabula communis* allowed even less scope for freedom of selection to him—or to those—who made it up: *componentes tabulam*.)

On the Manner of executing the Office of Mattins on the First Sunday in Advent.

(After disposing of arrangements for the invitatory, the hymn, and nine antiphons and their verses, the Consuetudinary proceeds—)

After the beginning of the 3rd antiphon, let a boy in the habit of a reader bring the book [*i.e.* legenda] with a light to the place of reading [*i.e.* pulpitum][1] and read the first lesson, not changing his choir-habit. Let the 2nd and 3rd lessons be read by two other boys belonging to opposite sides of the choir; the 4th lesson by a subdeacon of the second bench or an inferior cleric; the 5th by a deacon of the second bench; the 6th by any person (*a quovis*) of the highest step; the 7th by a deacon of the highest step; the 8th and 9th lessons by a deacon or a presbyter of the highest step.

So let the lessons run on other Sundays and on simple feasts of ix. lessons with rulers of the choir, provision being made that a deacon of the highest step reads the 7th lesson.

The above rule that the lessons should be read by clergy in ascending order of dignity from choristers up to priests, had its single exception on All Saints' Day, when they read in "*ordo preposterus*." (*Use*, i. 120, 121, 125.)

The *festum puerorum* is mentioned in an early Sarum inventory (A.D. 1214–29), and a boy-bishop is traced in King Edward's wardrobe accounts for 1294–5, but no provision is made for the boy-bishop's services in the written customs earlier than 1319.

The list was read daily in the Chapter meeting at prime, and was then hung up for reference.

[1] The Bishop read from his throne when he read a lesson (*e.g.* on Christmas Day). (*Use*, i. 118.) Other readers, and singers, bowed their heads for his blessing when they had done their part. (*Ibid.*)

A.D. 15 Aug. 1222.

Constitutio de residentia facienda.[1]

[Reg. Osmund, *fol.* lxiii.] = ii. 18–22; MS. *E.*, *fol.* 33.

ANNO ab incarnatione Domini 1222, in solempnitate Assumptionis beate Marie Virginis [Aug. 15], acta sunt hec in capitulo Sarum, in presentia venerabilis patris nostri Ricardi, Sarum episcopi, Willelmi, decani, Ricardi, precentoris, Roberti, cancellarii, Edmundi, thesaurarii, Herberti, Archidiaconi Dorset, Galfridi, Archidiaconi Berks., Hunfridi, Archidiac. Sar', Anastasii, Succentoris, Gileberti de Lacy, Magri Elye de Derham, Magri Henrici de Bissopeston, Magri Thome de Ebelesburn, Bartholom. de Kemesie, Magri Willielmi de Lenn, Johannis, capellani, Valentini, Martini de Summa, Magri Roberti de Byngeham, Magri Luce, Magri Willielmi de Merton, Ricardi de Mappodre, Philippi, Abbatis Shireburnensis, Danielis de Longo Campo, Magri Henrici Teissun, Roberti de Brinton, Roberti Coterel, Willielmi de Ingandeby, Petri Pycot, Hugonis de Templo, et Magri Galfridi Devon.; Galfrido, Archid. Norvicens, Galfrido de Bocland, et Elya de Bristoll, se excusantibus et literas de ratione mittentibus.

(1) Consideratis grauaminibus que sustinent canonici, tam in edificatione domorum quam in prestatione Noue Fabrice, Prouisum est, de residentia canonicorum, quod singuli resideant per xl dies per annum; omnes vero archidiaconi, preter Archidiaconum Sar', per 3 septimanas, et sic absoluantur a datione quinte portionis; quod si residere non poterint quintam soluant prebende sue canonicis residentibus portionem; ita tamen quod cum aliquis eorum termino statuto residenciam suam inceperit,

[1] Osmund Register, R.S., i. 18, 212, 260; ii. 10, 18, 19, 41, 42.

A Constitution on keeping Residence.[2]

ON the solemn feast of the Assumption of Blessed Mary the Virgin [August 15th], in the year 1222, after the incarnation of our Lord, the following acts were passed in the Chapter of Salisbury in presence of our venerable father Richard [Poor], Bishop of Sar.

William dean
Richard precentor
Robert chancellor
Edmund treasurer
Herbert Archdeacon of Dorset
Geoffrey Archd. of Berks.
Humfrey Archd. of Sar.
Anastasius Succentor
Gilbert de Lacy
Master Elyas de Derham
Master Henry de Bissopeston.
Master Thomas de Statesburn
Bartholomew de Kemesie
Will. de Lenne
John the chaplain
Valentine
Martin de Summa
Master Rob. de Byngeham
Master Luke
Master Will. de Merton
Richard de Mappodre
Philip abbot of Sherborne
Daniel de Longchamps
Master Henry Teissun
Robert de Brinton
Robert Coterel
William de Ingandely
Peter Pycot
Hugh de Temple, and Master Geoffrey Devon;
(Geoffrey Archdeacon of Norwich,
Geoffrey de Buckland, and
Elyas de Bristol,
excusing their absence and sending letters of explanation).

(1) After consideration of the grievances to which Canons are subject on account of the building of dwelling-houses and paying contribution to the new fabric [of the church], It was provided that as regards the Residence of Canons they should each reside for 40 days in the year, but all the Archdeacons, except the Archd. of Salisbury, for 3 weeks, and so be exempted from giving the fifth portion [of their prebend (*see* p. 43)]. But if they shall be unable to reside, they must pay to the Canons who reside the fifth part of their prebend, only on the understanding that when any of their number has begun his residence at the appointed time, if some urgent reason

[2] From MS. E., fo. 35; Osmund Register, fo. 63.

15 Aug. 1222. si urgens causa euidens et necessaria exegerit, dabitur ei licencia sine difficultate, quod possit abesse pro sui negotii execucione, dum tamen infra annum alio tempore continuo suppleat tempus sue residencie, computato ei tempore per quod prius residenciam fecit. Hec autem constitutio quantum ad hunc articulum duratura est per triennium sequens; saluis post triennium constitucionibus prius factis de residencia per quartam partem anni, vel ex tunc auctoritate Episcopi et Capituli faciendis.

(2) Item habita ratione sumptuum quos faciunt Quatuor Persone, in continua residentia, considerato etiam eo quod ipsis, per concilium generale,[1] pluralitas beneficiorum est adempta, et quam graue extiterit eisdem quod post obitum de bonis dignitatum ad opus eorum nil reseruabitur,—Prouisum est quod si persona in fata decesserit post diem Pasche, a die obitus sui medietatem fructuum dignitatis usque ad festum S. Michaelis percipiet defunctus, alia medietate reservata substituendo a predicto die. Habebunt etiam Persone, quandocunque decesserint, omnes fructus prebendarum suarum a die obitus sui usque ad annum completum, communa vel defuncto, anno proximo sequenti, nil de prebenda percipientibus Ex ista autem prouisione precedente, Persona, que residentiam non fecerit, nullum sentiet emolumentum, nisi forte per moderatum tempus de licentia et pro negocio ecclesie sue, cum abesse contigerit.

Circa THESAURARIAM autem hoc specialiter obseruabitur, quod si post Pascha decesserit, primo deductis expensis necessariis que debentur ecclesie ratione Thesaurarie, similiter a die obitus sui residuum dimidietur inter mortuum et substitutum.

[1] The Council of Oxford, held under Archbishop Stephen Langton, about two months before this meeting at Salisbury, had forbidden, in its 37th chapter, the holding of a second benefice in plurality. This was in accordance with c. 29 of the Fourth Council of the Lateran in 1215. The Third Council of the Lateran in 1179, and the Council of Chalcedon in 451, had likewise passed decrees against pluralities. See also Bishop Richard Poore's Constitutions, *cir.* 1223, c. 103, *De receptione secundi beneficii.* Sarum Charters (Rolls Series), p. 161.

manifest and unavoidable require it, leave be granted him without making any difficulty, that he may absent himself in order to transact his business, on condition that he make up the term of his residence some other time within the year and be allowed to count the time which he has resided before he went away. This constitution as regards this article is to hold good for three years next ensuing, without prejudice, after these 3 years elapse, to the constitutions previously made as to residence for a quarter of a year, or to such constitutions as shall be made thereafter by authority of the Bishop and the Chapter.

(2) Item. Considering the expenses which the Four *Personae* are put to, by their continual residence, and allowing for the fact that they are precluded from holding a plurality of benefices by the general council, and how heavily it falls upon them that after decease, no portion of the property attached to their Dignity will be retained to meet their obligations; It is provided that if any *Persona* departs this life after Easter Day, the [estate of the] deceased shall receive one moiety of the proceeds of his Dignity up to Michaelmas, the other being held back for him who is to take his place from the day aforesaid. *Personae* shall receive, moreover, at whatsoever season they shall depart this life, all proceeds of their prebends from the day of their death for a full year; but neither the deceased nor the Common Fund shall receive anything out of the prebend in the year succeeding [the first]. Nevertheless, no *Persona* who has failed to keep residence shall receive any emolument in virtue of the foregoing provision, unless it may be that he chance to have been absent with permission and for the affairs of his church for a moderate period of time.

With respect to the Treasurership, this shall be specially observed, that in case the Treasurer die after Easter, the necessary expenses, which are the Church's due on account of the Treasurer's office, are to be first of all deducted, and the residue in like manner from the day of his decease is to be divided equally between the deceased and him who is put in his place.

A.D. c. 1220.

(3) Item quia, decedentibus Canonicis sepius contingebat, quod alii substituti usque ad biennium vel triennium nichil secundum antiquam ecclesie consuetudinem de fructibus prebendarum suarum percipiebant, quod admodum videbatur grave, cum iam per concilium generale pluralitas beneficiorum sit adempta; provisum est quod ex quo communa Sar*um* ecclesie, ultra id quod in presenciarum possidet, usque ad summam reddituum centum marcarum fuerit locupletata, ex tunc canonicus decedens, per annum integrum, a die obitus sui computandum, omnes fructus prebende sue percipiet. ¶ Post annum autem completum, statim percipiet canonicus substitutus integre omnes fructus prebende sue, communa vel defuncto ultra predictum terminum nil omnino percipientibus: hoc tamen notato, quod fenum de dominico dignitatis vel prebende semper pertineat ad warectum.

(4) Item vacante Decanatu infra festum S. Michaelis et Pascham fructus percipiendi tempore uacationis reseruentur successori.

(5) Item Archidiaconi, post predictum tempus creandi, contenti sint tertia parte sequestrorum, duabus partibus domino Episcopo remanentibus.

(6) Decani etiam Rurales de communi consensu domini Episcopi et Archidiaconorum instituantur et destituantur.

(7) Item obeunte Uicario Sar' ecclesie, canonicus cuius fuerit uicarius, in Anglia existens, infra tres menses a die obitus uicarii computandos uicarium idoneum Decano presentet, alioquin deuoluetur ex tunc collatio uicarie ad Decanum. *Uicarius autem[1] a Decano cum examinatione admissus primo anno quasi in probacione existens psalterium et antiphonarium addiscat et cordetenus sciat,

* f. 36b.

[1] This passage was afterwards included in Bishop Mortival's Statutes of 1319, cap. xxix.

(3) Item. Because it frequently used to happen that when Canons died, the others who were put in their places received no portion of the proceeds of their prebends according to the antient custom of the Church till two or three years had elapsed; and because this has been found to fall very heavily, now that plurality of benefices has been withdrawn by the general council; It is provided that so soon as ever the *communa* of Salisbury Church shall be enriched to the amount of one hundred marcs over and above what it is at present possessed of, thenceforward any Canon dying shall receive the proceeds of his prebend entire, for the whole year reckoned from the day of his decease. And after the year is completed, the Canon put into his place shall forthwith receive all proceeds of his prebend entire, and neither the *communa* nor the deceased shall receive anything whatsoever after the forementioned term: It must, however, be borne in mind, that the hay off the demesne of a Dignity or a prebend at all times appertains to the fallow-land for ploughing-in.

(4) Item. If the Deanery is vacated between Michaelmas Day and Easter, the produce that is to be gathered during the time of vacancy is to be retained for the Dean's successor.

(5) Item. Archdeacons who shall be created subsequently to the time aforesaid, are to be content to receive one third of sequestrations; the remaining two thirds are to be left for the Lord Bishop.

(6) Moreover, Rural Deans are to be constituted by the common consent of the Lord Bishop and the Archdeacons, and they may be deprived by the same authority.

(7) Item. On the death of a Vicar of the church of Salisbury, the Canon whose Vicar he was, if he be in England, within the space of three months, to be reckoned from the day of such Vicar's decease, is to present to the Dean a suitable Vicar; otherwise the collation of the vicarship shall devolve upon the Dean after that date. A Vicar, after being admitted with examination by the Dean—and being for his first year on probation (as it were)—is to learn and con his psalter and antiphoner by

15 Aug. 1222. quod si in officio ecclesie et bonis moribus medio tempore profecerit, ex tunc perpetuus remaneat uicarius; alioquin alius idoneus uicarius ad presentationem Canonici a Decano substituatur, secundum formam prescriptam.

Admissus autem uicarius jurabit Decano canonicam obedientiam et fidelitatem ecclesie, et quod fideliter acquietabit dominum suum, et ei fidelis per omnia existat. ¶ Porro si uicarius negligens fuerit in prosecutione horarum canonicarum, vel alias male conversetur uel inhoneste, et a Decano commonitus hoc non emendauerit, in Capitulo[1] coram Decano et Capitulo secundum eorum arbitrium puniatur.

(8) Item, quandocunque facienda fuerit generalis conuocatio canonicorum, tradet Decanus literas uicariis canonicorum uocandorum, et injunget eis in uirtute obedientie quod dominis suis transmittant ad prebendas, a quibus sumptus propter hoc faciendos recipiant.

(9) Item de areis edificandis provisum est, quod singuli areas habentes infra Pentecostem proximo sequentem cum effectu edificare incipiant; sin autem, Episcopus, pro uoluntate sua, de ipsius area disponet. ¶ Edificare autem ualentes et non uolentes per Episcopum et Decanum coherceantur. Decedente autem canonico, is qui succedit canonico in prebenda, aliis volentibus domos edificatas emere preferatur, dummodo restituat pretium portionis defunctum contingentis: et hoc idem prouisum est de domibus vicariorum.[2]

(10) [Item de duobus sacerdotibus celebrantibus pro episcopis defunctis, prouisum est, quod sint annui, et uterque quinquaginta solidos habeat pro annuo servicio suo; et hiis tantum sint contenti.]

[1] The existing Chapter-house was not built until about 1263–84. It seems likely that, at the date of this Constitution, Chapter meetings were held in what is now called the Lady Chapel.

[2] A few years later, January 28th, 1233, Pope Gregory IX. issued a bull (*Justis petencium desideriis*) in favour of the "perpetual vicars of

heart, and if in the mean time he be found proficient in the office of the Church and in good conduct, let him continue thenceforward a perpetual Vicar; otherwise let another Vicar [who is found] suitable be put in his place by the Dean, on the Canon's presentation, according to the form prescribed.

A Vicar when admitted shall take his oath of canonical obedience to the Dean, and of fidelity to the Church, and shall swear that he will faithfully acquit his lord [the Canon], and be faithful to him in all things. Furthermore, if a Vicar be negligent in performing the canonical hours, or shall otherwise conduct himself in an ill or unbecoming manner, and after admonition from the Dean shall not have amended this, let him be punished in [the] Chapter in presence of the Dean and Chapter according to their judgement.

(8) Item. Whensoever there is to be a general Chapter of the Canons summoned, the Dean will deliver his letter to the Vicars of the Canons to be summoned, and will enjoin them, in virtue of their obedience, to transmit the same to their lords [the absent Canons] at their prebends, and let them be paid their expenses incurred in doing so.

(9) Item. For building sites it is provided that every one who has a site must begin to build to some purpose by Whitsuntide next ensuing; or failing this, the Bishop shall dispose of his site according to his discretion.

But let those who are able to build and will not do so, be compelled by the Bishop and the Dean.

On the decease of a Canon, let him who succeeds him in a prebend have the preference over others who desire to purchase houses already built, provided that such successor restore the value of the part which belongs to the deceased. The same proviso holds good for Vicars' houses.

(10) [3]Item. It is provided that the two priests who celebrate for Bishops departed, are to have their appointment for the year, and that each of them is to receive 50 shillings for his yearly service, and that they be content to receive no further payment.

Salisbury," in answer to some request made by them, with consent of the Dean and Chapter. (See *Regist. Rubr.*, f. 117[b].)

[3] This concluding paragraph is written in MS. E. at fo. 36[b].

A.D. 1243.

Ordinatio Roberti [Bingham] Episcopi de Personatibus Ecclesie Sarisburiensis.

[Lib. Evid. C. 468, E. f. 36.]

OMNIBUS Christi fidelibus presens scriptum inspecturis vel audituris, Robertus, Dei gratia, episcopus Sar' Salutem in Domino. Cum sit humana labilis memoria super hiis quæ proinde acta sunt et concessa, ideo autentica conficiuntur instrumenta, ut eorum perpetuetur memoria et firmitas maneat in*concussa, Sane cum a predecessoribus nostris, Capituli nostri concurrente consensu, circa Quatuor Personas ecclesie nostre sit multiplici racione prouisum, et unanimi statuto firmatum; ut si de quocunque illorum post diem Paschæ humanitus contigerit, medietatem omnium fructuum dignitatis usque ad Festum S. Michaelis percipere tenetur defunctus, alia medietate reseruata substituendo; et cum eciam statutum sit, et hactenus obtentum im memorata ecclesia, quod si canonicus ante "*Letare Ierusalem*" obierit, et terram prebende sue propriis sumptibus excoluerit, vel ad excolendum tradiderit, qui fructus anni percipiet laborem illi qui terram excoluit sine aliqua diminutione refundet, ad valorem pretii illus diei in quo canonicus decedit. ¶ Ne aliquis, crescente temporis malicia, peruerse interpretans et contentionem querens hoc asserat non esse similiter intelligendum de terris dominicis dignitatum, et ex hoc accideret quod miserabilior esset conditio Personarum quam simplicium canonicorum, cum eorum condicio ratione continue residencie iuste et pie debeat meliorari, paterna pietate et pastorali sollicitudine, predicto morbo occurrere cupientes, et materiam scismatis amputare desiderantes, de consilio et consensu Capituli nostri, hunc articulum taliter duximus declarandum et interpretandum videlicet, quod quicquid

* f. 37 = p. 85.

[1] MS. E., fo. 36; Liber Evidentiarum Capituli, 468.

An Ordinance of ROBERT [Bingham] BISHOP, A.D. 1243, *Concerning the* PERSONAGES *of the Church of Salisbury.*[1] 25 Dec. 1243.

TO all Christ's faithful people who shall read or hear this present writing, Robert, by God's grace Bishop of Salisbury, sends greeting:

Whereas man's recollection is apt to slip, authentic instruments are drawn up concerning those matters which are enacted or granted, to the intent that the remembrance of them may endure and their permanence may be established. Of a truth, since provision has been made in various ways by our predecessors, with the concurrent assent of our Chapter, as regards the Four *Personae*, and it hath been confirmed by a statute unanimously ratified, to wit, that if one of the Four should go the way of all flesh after Easter Day, the deceased is held to receive a moiety of all proceeds of his dignity up to the feast of St. Michael, and the other moiety is reserved for his successor; and whereas it hath been enacted and customably observed in the said church, that if a Canon die before *Lætare Ierusalem* [Mid-Lent], and have cultivated the land at his own proper cost, or have let for cultivation the land of his own prebend, then he who shall enjoy the produce shall refund the cost to him who has cultivated the land, according to the estimation of the cost up to the day of the Canon's decease without any diminution.

Lest any, when the wickedness of the world increases, misinterpreting or desiring to be contentious, should affirm that the same doth not apply to the demesne of Dignities, and thus it should come to pass that the lot of *Personae* should be more poverty-stricken than that of simple Canons, whereas their lot ought on the ground of their perpetual residence to be improved on the principles of equity and religion, We in our desire to meet the aforementioned malady with fatherly love and pastoral care, and longing to remove occasion for divisions, have with the counsel and consent of our Chapter thought fit to declare and interpret this article in such sort, namely, that it is our desire that what hath been provided

25 Dec. 1243. circa terram Canonicorum est provisum, hoc etiam circa terram Personarum et dignitatum illorum volumus esse intelligendum.

Quod ne alicui de cetero veniat in dubium statutum ipsum modo predicto interpretatum auctoritate pontificali confirmamus, et tam sigilli nostri, quam sigilli Capituli nostri, appositione fecimus roborari.

Actum in solempnitate Nativitatis Domini anno ab Incarnatione Domini, mccxliii.

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† f. 37ᵇ = p. 86.

† *Item Ordinatio de Implementis Prebendarum.*

[Lib. Evid. C. 470, E. f. 37*b*.]

A.D. 1244. UNIVERSIS Christi fidelibus presens scriptum visuris vel audituris,—Robertus,[1] Decanus, et Capitulum Sar' salutem in Domino eternam: Cum dies hominis breves sint, et humana labilis memoria, ea que rite et provide agenda sunt, ne propter eorum ignoranciam alicui in posterum dampnum emergat vel prejudicium, super hiis autentica conficiuntur instrumenta, ut eorum perpetuetur memoria, et firmitas maneat inconcussa; ¶ Cum igitur de consuetudine Sar' ecclesie in quibusdam prebendis ita sint hactenus optentum, quod, vacante prebenda, canonicus defunctus debeat relinquere instaurum suo successori, et de quibusdam prebendis scriptum sit in textu nostro et registro quid et quantum debeat in illis relinqui, de quibusdam autem aliis prebendis de instauro quod relinquendum est nil habeatur scriptum, sed semper in institucione noui Canonici fiat inquisicio de qualitate et quantitate instauri, si debeat relinqui, per iuramentum hominum tenentium de prebendis;—Universitati vestre notum facimus, quod Quatuor Dignitates Sar', videlicet Decanatus, Cantaria, Cancellaria, Thesauraria, immunes

[1] Robert de Hertford, Dean, 1237–1257.

[2] "Item ordinacio eiusdem," MS. E., f. 37ᵇ. This should mean by rights Bishop Robert Bingham (1229–46). It is, however, issued under

in the case of Canons' land, be understood to be applicable also to the land of *Personae* and their dignities.

And lest the statute itself, as interpreted in the manner aforesaid, should come into question with any one hereafter, we confirm it by pontifical authority, and we have caused it to be fortified and established by fixing our own seal thereto, as well as that of the Chapter.

This was passed at the solemn feast of our Lord's Nativity in the year after the Incarnation of our Lord the 1243rd.

(II.) Item. *An Ordinance* [of the same],[2] *concerning the Implements of Prebends.* 19 April, 1244.

TO all Christ's faithful who shall see or hear this present writing, Robert [de Hertford] sends health eternal in the Lord:

Seeing that the days of man are short, and mortal recollection is apt to slip; lest loss or prejudice should arise to any by reason of his ignorance of those matters which ought to be managed by rule and prudence, authentic instruments are drawn thereanent, that the recollection thereof may be perpetuated and that their security may remain unshaken.

Whereas, therefore, it hath been unto this present the practice of the custom of the Church of Salisbury in certain prebends, that when the prebend is vacant the Canon deceased should leave the stock (*instaurum*) for his successor, while in the case of some other prebends the particular items and amounts that ought to be left in those prebends are noted in our Gospel-text and our register, while in the case of yet other prebends there is no record in writing as to what is to be left in store, but always at the institution of a new Canon an enquiry is held as to the nature and amount of the stock (in case it has to be left) by a jury of tenants of the prebends; We make it known unto you all, that the Four Dignities of Salisbury, to wit the Deanery, the Chantership, Chancellorship and Treasurership, are exempt from this

the name of Dean Robert Hertford (1238–58). It occurs in *Lib. Evid. Capituli*, 470.

A.D. 1244. sunt ab hoc onere, et nihil de instauro in decessu suo in dignitatibus predictis debent relinquere. In confectione autem huius instrumenti dominus Robertus, Decanus, habuit prebendam de Wodeford, qui nihil instauri in decessu suo ciuili uel naturali in dicta prebenda debet relinquere, cum in adepcione dicte prebende nihil huiusmodi dinoscatur in dicta prebenda suscepisse;—idem autem testamur et protestamur de prebenda Magistri Radulfi de Hecham, Cancellarii Sar', que annexa est imperpetuum sue cancellarie; De prebenda autem de Calna que annexa est thesaurarie testamur et protestamur quod Thesaurarius, qui pro tempore fuerit, in decessu suo debet relinquere in dicta prebenda instaurum sicut scriptum est in textu nostro e*uangelico et Registro.

* f. 38 = p. 87.

Quia vero de die in diem refrigescit caritas et abundat iniquitas, et prouerbialiter dicatur *Memoria mortui sepelitur cum mortuo*,—ne aliquis in futuris temporibus impudenter et irreuerenter, timore Dei postposito, et querens que sua sunt non que Jhesu Christi, audeat impugnare iura Canonicorum mortuorum, et consuetudinem Sar' ecclesie hactenus optentam et obseruatam et iuramento roboratam, omnia predicta universitati vestre manifestamus tanquam vera, et veraciter et fideliter in ecclesia Sar' in perpetuum obseruanda. Et ea sigilli nostri publici et autentici apposicione tanquam inuiolabiliter temporibus successuris obseruanda munimus et roboramus. ¶ Si quis autem temerarie vel diabolica persuasione: vel maligno consilio contra hoc venire presumpserit, maledictionem Dei Omnipotentis et beate Marie et omnium Sanctorum et excommunicacionis nostre sentenciam[1] in interitum carnis, sue suscipiat. Fiat, fiat. Amen.

Actum Sarum, Anno Gratie, mccxliv. 13 cal. Maii (April 19).

[1] The form of the general sentence of excommunication prescribed in 1434 is printed from a fifteenth-century MS. in my *Salisbury Processions*, pp. 44–46: and another from the printed *Manuale Sarum*, *ibid.*, pp. 245–255.

obligation (*onere*), and they are not bound to leave any stock, in the case of their dignities, at their departure. Now at the making of this document my lord Dean Robert held the prebend of Wodeford, and he is not bound to leave any of the stock in the said prebend at his civil or natural decease, seeing that he is known not to have received anything of that kind on his prebend at the time of his first receiving it: and the like we certify and solemnly declare in the case of the prebend held by Master Ralf de Hecham, Chancellor of Salisbury, and attached in perpetuity to his office of Chancellorship.

But as regards the prebend of Calne, which is attached to the Treasurership, we certify and solemnly declare that the Treasurer holding it from time to time, is bound to leave stock in the said prebend according to that which is entered in our Gospel-text and register.

But because from time to time charity waxeth cold and iniquity aboundeth, and, as is said in the proverb, The dead man's remembrance is buried in the dead man's tomb; lest any presume hereafter, without shame or respect, setting the fear of God behind his back, and seeking the things which are his own, and not the things which are of Jesus Christ, to impugn the rights of Canons departed, and the custom of the Church of Salisbury hitherto obtaining and observed and confirmed on oath; We plainly declare to you all, each and all of the above statements to be true and truthfully and faithfully to be observed for ever in the Church of Salisbury; and we defend and confirm the same as inviolably to be observed in the days of our successors, by appending our public and authentic seal.

And if any audaciously, or by fiendish persuasion or wicked counsel, shall presume to contravene this instrument, may he receive the malediction of Almighty God, and of blessed Mary and Allhallows, and the sentence of our excommunication to the destruction of his flesh. So be it, So be it, Amen.

Enacted at Salisbury in the year of grace 1244, the thirteenth † of the Kalends of May (April 19).

† 19 April, 1244.

ORDINACIO ROBERTI BYNGHAM EPISCOPI, DE PONTE ET CAPELLA.

(31 May, A.D. 1244.)

* Miscellanea et Statuta quoad Sarum (Cod. MS. *Sar.* 189), fol. 21 *a*. MS. *E.*, f. 38.

*ACTA pridie Kalendas Junij Anno gracie M$^{lim^o}$ cc.xliiij^o. in Capitulo Sar*um*, in presencia

Domini Roberti, Episcopi,
Roberti, Decani,
Radulfi,[1] Cancellarij,
Henrici, Thesaurarij,
Egidij, Archidiaconi Berkschyr',
Stephani, Archidiaconi Sar*um*,
Nicholai, Subdecani,[2]
Rogeri, Succentoris,
Henrici, Archidiaconi Bathoñ,
Elie de Derham̄,[3]
Radulfi de Eboraco,
Galfridi, penitenciarij,
Walteri de Wyle,[4]
Thome de Wyle,[5]
Ricardi de Bynham,[6]
Galfridi de Bedfforde,
Roberti Folyot,
Johannis Vernun',
Petri de Cumba,
Thome de Ebbelesburn̄,

Videlicet quod Dominus Episcopus tradidit dictis Decano et Capitulo perpetuam custodiam noui pontis et Capelle et omnium Reddituum et Rerum pertinencium ad

[1] "Rici": *Hatcher*, in *Modern Wiltshire*, 1843, p. 732.

[2] Nicholaus Subdecanus (called "Nic. Laking" by Rich Jones). Was this the "Nicholaus Sarum" who was appointed Master of St. Nicholas' Hospital on the same occasion?

[3] "Helye de Deram̄." *E.*

[4] Walter de Wyle, appointed "*Custos Pontis*" on this occasion, was Succentor of Salisbury. (Cf. *Miscellanea et Statuta quoad Sarum*, ffo. 20^b, 21^a.) "Galfridi de Wyle, David de Byngham." (*Hatcher.*)

[4–5] "Wile": MS. *E.* [6] "binam": MS. *E.*

An Ordinance of the said Bishop [Robert de Bingham] concerning the Bridge and Chapel (May 31st, 1244).

ENACTED the day before the Kalends of June (May 31st), in the year of grace 1244, in Salisbury Chapter, in presence of—

My Lord Robert, Bishop
Robert [de Hertford] the Dean
Ralf [Hecham] the Chancellor
Henry [de Lexington] the Treasurer
Giles [de Wocumb] Archdeacon of Berkshire
Stephen [de Tisbury] Archdeacon of Salisbury
Nicholas [de Laking] Subdean
Roger, the Succentor
Henry [Tessun] Archdeacon of Bath
Elias de Derham
Ralf of York
Geoffrey the Penitentiary[7]
Walter de (la) Wyle
Thomas de (la) Wyle
Richard de Bin(g)ham
Geoffrey de Bedford
Robert Folyot
John Vernon
Peter de (la) Coombe
Thomas de Ebbelesbourne

to wit that the Lord Bishop delivered to the said Dean and Chapter perpetual custody of the new Bridge and Chapel and of all the revenues and chattels belonging to

[7] Geoffrey the Penitentiary. It is clear that at this date, 1244, the Subdean (Nic. de Laking) did not hold the office of Confessor. Possibly it was still held by Geoffrey, as such was his predecessor's name (*Fasti Sar.*, 438). Thomas de Chabbeham, *cir.* 1213–15, as well as Thomas Cobham a century later, was a writer on penitence. From the time of Subdean Robert de Worth, *cir.* 1309, the offices were combined, and thus, presumably, it came to pass that when John de Grandisson was revising the Sarum *Ordinale* for the use of his Chapter at Exeter, in 1337, he inserted the phrase "*qui penitenciarius est episcopi*" between the words "*Subdecani*" and "*officium*," and styled his 8th section "*Subdecani, uel penitenciarij, officium,* si tamen fuerit canonicus." (*Ordinale Exon.*, ed. 1909, i. pp. 1, 5.)

eundem pontem, vel que poterunt in futuro ex aliquo acquisito, vel aliquo casu ad eundem pertinere.

† *E.* f. 38ᵇ. Et super hoc plenam et plenariam † fecit saisinam dictis Decano et Capitulo, dictis die et loco.

OMNI [1] eodem modo fecit dictis die et loco dictus Episcopus dictis Decano et Capitulo in perpetua custodia et saisina Hospitalis sancti Nicholai Sar*um*, et omnium Reddituum et bonorum ad idem pertinencium, vel que eidem in futuro poterunt accrescere, quocunque nomine censeantur.

Dictis autem die et loco suscepit dominus Nicholaus Sar*um* a domino Roberto Decano et Capitulo custodiam dicti Hospitalis.

[Subdecanus.]

Et Dominus Walterus de Vyle [2] custodiam dicti pontis.

Ita quod post decessum eorum naturalem vel civilem liceat Domino Decano, qui pro tempore fuerit, et [3] Capitulo, alios custodes dictorum Hospitalis et pontis substituere.

Et hoc ita inconcusse obseruabitur in Ciuitate Sar*um* amodo et vsque in sempiternum.

31 May, 1244. Et in huius Rei Testimonium dictus Episcopus et Capitulum huic scripto sigilla sua apposuerunt.

[1] "Omni": *Misc. et Stat.*: MS. *E.* omits the word.
[2] "Wyle": *B. and H.* "Wile": *E.* [3] "in": *B. and H.*

Additional Note on the *Archischola* and the Librarian.

It was stated above (p. 58, *n.*[4]) that the Chancellor of Salisbury Cathedral does not appear to have had a *Vicecancellarius*, or Vice-chancellor, as his deputy, as was the case at Lincoln, where he is responsible for the "*tabula lecturae*" or list of readers at service, at least from the middle of the XIIIth century. At York there was a "*subcancellarius*." At Bayeux, the *Scholasticus* and the *Theologus* rank next after Subdean and Succentor. It is difficult to say with certainty whether "*Archisc*[*h*]*ola*" mentioned above (p. 32) was merely another, and an earlier, name for *Cancellarius* (pp. 30, 58), or whether the former was the Chancellor's substitute in the school of grammar. As regards the care of the books, a librarian or "*custos librarie*" is mentioned in the latter part of the XVth century (*Regist. Holmes*, 50)

the said bridge or which may from any acquisition or by any chance belong hereafter to the same. And to this intent he gave full and plenary seisin to the said Dean and Chapter then and there.

IN precisely the same manner, on the day and in the place aforesaid, the said Bishop made to the said Dean and Chapter in perpetual custody and seisin [transfer] of the Hospital of Saint Nicholas of Salisbury, and of all rents, revenues and goods which belong to the same, or which may accrue, under whatsoever name they may be considered.

And on the day and in the place aforesaid Sir Nicholas [Laking] the Subdean of Salisbury received from my lord Dean Robert [de Hertford] and the Chapter the custody of the said Hospital; 31 May, 1244.

And Sir Walter de Wile, the custody of the said Bridge,

On condition that after their natural or civil decease the lord Dean shall then hold office and the Chapter may be free to appoint as successors other Wardens of the said Hospital and Bridge.

And this shall be observed in the City of Salisbury firm and unmovable henceforth and for ever.[4]

And in witness to this matter the said Bishop and Chapter have affixed their seals to this writing.

[4] This arrangement, however, was of short duration, as it was annulled by the *Finalis Concordia* of February 3rd, 1259-60, by which the Dean and Chapter resigned to the Bishop, Giles de Bridport, and his successors all their rights in the Hospital of St. Nicholas, its advowson and mastership (*Custodia*), in consideration of holding in their patronage one room or place for a Brother in the Hospital. This right is still exercised by the Dean and Chapter, who appoint a Brother to the room on the ground floor to the left-hand on entering the men's building. It is at present (1913) occupied by Brother John Rattue. The Dean and Chapter have also certain rights in the Hospital of St. Nicholas during vacancy of the see.

about fifty years before the building of the present library above the east cloister. That building was originally twice its present length, and was used also for the Theological Lectures and Exercises of the Chancellor's Schools.

Note on the Constitutions of Giles de Bridport, A.D. 1256.

Constitutions by Giles de Bridport, Bishop of Salisbury, issued in 1256, partly diocesan and partly for his Cathedral Chapter, have been printed by Archdeacon D. Wilkins, *Concilia*, i. pp. 713–20, which may be thus summarized—

I. *These are customs* used and observed in the bishopric of Salisbury.

1. Of the tithes of all matters which are renewed from year to year.

2. The parishioners of each parish must offer their dues quarterly each year at these festivals: Christmas Day, Easter Day, the Feast of the Title of the Parish Church, and the anniversary Feast of the Dedication of the Church. All are to come to confession in Lent, and on Good Friday are to offer what they please at the Adoration of the Cross.

Women at espousal and at churching to offer the candle. Chrisms to be offered to the use of the church.

At a death the Parson is to have the next best chattel after the Lord of the Manor.

Ex Constitucionibus Egidii [de Brideport].

Sar. Episcopi, A.D. 1256.

Cap. 2. *De residencia Canonicorum.*

BEATI OSMVNDI predecessoris nostri circa residenciam personarum et canonicorum Sar*esbiriensis* ecclesie pias instituciones, quas pro cultu diuini nominis ampliandas[1] et ecclesie Sar' honore, capituli sui accedente consensu, condidit, ac in scriptis redegit, per necgligenciam, seu per incuriam, non ut et apertum decuit[2] obseruatas, presenti Statuto duximus innouandas; precipientes in virtute Spiritus sancti, et sub iuramenti debito, tam a

[1] "ampliando": MS. *Em.* = *Emman. Coll. Cam.*, i. 2, 6, f. 172b.

[2] "non vt decuit et oportuit": *Em.*; Wilkins conjectures "non ut capitulum decuit."

Note on Bishop Bridport's Constitutions, continued.

Obligations of the Parson, parishioners, Chaplains and Vicars, respectively.

Concerning Archdeacons' visitations, general excommunications to be published thrice a year.

The two Inquisitors or Questmen. Two Chaplains to be appointed to hear confessions from parsons, etc.

A list of Holy Days when field work of labourers is prohibited.

II. *Other constitutions* of Giles de Bridport, A.D. 1256.

Cap. 1. Man having been created a reasonable being with a free will of his own, etc., etc.

We therefore, who from the duty of our profession are more strictly bound to reverence the sacred page of the Old and New Testament, and the canons of the Saints, moved by the duty of our pastoral care and the counsel of our Chapter, having invoked the grace of the Holy Spirit, have thought good to summon this holy and venerable Synod. In the which we have thought good to recite sundry statutes of general and provincial Councils, some statutes also of our predecessors, and some of our own, for the correction and reform of our subordinates, statutes which have not been revoked by the present Synod, to remain in force.

A Constitution of Giles de Bridport.

Of the residence of Canons.[3]

WE have thought good to revive the pious institutions of the Blessed Osmund our predecessor concerning the residence of *Personae* and Canons of the Church of Salisbury, which, with the additional consent of his Chapter for the increase of the worship of God's Name and the honour of the Church of Salisbury, he composed and reduced to writing, but which, by reason of neglect or carelessness, have not been observed as by right and duty they ought to have been. We therefore, in virtue of the Holy Ghost and under the duty and obligation of their

[3] From a set of Salisbury Statutes, which were sent to Glasgow in 1259.

personis, quam ab alijs canonicis de ecclesie statutis et consuetudine [1] approbatis obseruandis corporaliter interposito,[2] quod omnes et singuli tam persone quam canonici Sar' ecclesie in ipsa cathedrali ecclesia debitam facere residenciam non omittant, nisi causa racionabili excusentur, si penas contra non residentes sanxitas voluerunt [3] euitare.

Cum [4] inter tocius orbis ecclesias ecclesia Sareburiensis in diuino officio et ministris [5] tanquam sol in rota [6] claruerit, adeo vt radios suos vndique diffundens, defectus suppleuerit aliarum, ne per ministros [in]dignos [7] claritas sua nobis non curantibus eclipsetur, Statuimus vt nullus de cetero ad officium vicarij in ipsa ecclesia presentetur, nec aliquatenus admittatur, nisi preter alia merita honestatis, que in ministris [8] huiusmodi requiruntur, instrumentum habeat ydoneum modulandi, et cantus periciam, sine quibus ecclesie gloria, quam ministrorum maculauit [9] indignitas, ad antique laudis preconium minime poterit [10] reparari.[11]

[1] "consuetudinibus": *Emm.*

[2] "interpositi": *Emm.*

[3] "voluerint": *Emm.*

[4] This passage, "Cum inter . . . reformari" (*al.* reparari) was cited in 1319 by Roger de Mortival in his XXVIIIth Constitution (see below, under the title *De presentacionibus ad Vicarias*).

[5] "ministeris": *Wilkins.*

[6] "In rota" (*al.* "in aurora"). See Roger de Mortival's expressions of encomium on the "*Illustrious*" Church of Sarum, capp. 22, 23, below; also the preamble to Bishop J. Jewel's Ordinances of 1562. Contrast Clement Maydeston's *Tracts* of 1450, ed. H. Bradshaw Soc., p. 10. "*Insignis*," "*Insignis ac praeclarae*," "*Famosissimae ac inter occiduas nominatissimae*," are common epithets of the Church of Salisbury and occur on title-pages and in colophons of Sarum Missals and Breviaries. The claim of our MS. *Tonale* (edited in Dr. Frere's *Use of Sarum*, ii. appendix pp. i.–lxxix., *Camb.*, 1891) to be "*secundum usum Sarum et Universalis Ecclesie*" was not necessarily arrogant.

[7] "dignos": *Jo.*; "indignos": *Emm.*

oath to observe the approved statutes and customs which has been corporally taken as well by *Personae* and by the other Canons also alike, do direct that all and singular the *Personae* and Canons of the Church of Salisbury fail not to make due residence in the cathedral church itself, unless they be excused by a reasonable cause, if they desire to escape the penalties denounced against non-residents.

Whereas among the churches of the whole world the Church of Salisbury shines like the sun in the full orb of its strength, in respect of divine service and ministries, so far that she sheds her beams on every side and so supplies the shortcoming of other churches; lest, however, through want of care on our part, her glory should suffer eclipse by unworthy ministers, We decree that none hereafter be presented to the office of a Vicar in the [cathedral] church itself, nor be in any sort admitted, unless, over and above other qualifications of respectability which are looked for in the case of such ministers, he have the sufficient organ of a musical voice, and skill in chanting; for if these be lacking, the glory of the church (which has been marred by the unworthiness of her ministers) can in no wise be restored to the honour of its pristine reputation.[12]

[8] "ministris": *Jo.*; "ministeriis": *Wilkins*; "in perminstis": *Emm.*

[9] "deformauit": *Emm.*

[10] "reformari": *Emm.*

[11] From *MS. Emman. Coll. Cam.*, i. 2. 6, f. 172[b] (transcribed by the late C. A. Wordsworth, M.A., Clare Coll., District Commissioner in S. Nigeria). Collated, by O. B. Wordsworth, M.A., Trin. Coll. Cam., with *MS. St. John's Coll. Cam.*, C. 12. 5, *olim* A. iii. 8, and now "MS. 62" in Dr. M. R. James's Catalogue. There is another XIIIth-century MS. at *Corpus C. Coll. Oxon.*, Cod. cccIx., ff. 72[b], 73, which is described in H. O. Coxe's Catalogue as having belonged to Spelman, and may have been known to D. Wilkins, who has printed these Constitutions of Giles de Bridport in *Concilia*, i. p. 715.

[12] On the reputation of Salisbury, when St. Osmund gathered around him at Old Sarum Canons and clerks, "famous for learning and for song," see the note on p. 37, *supra*. Cf. "noble clerkes konnynge of clergie and of songe," as J. Trevisa renders Higden's *Polychronicon*, vii. 3, following W. of Malmesbury, *De Gestis Pontificum*, i. § 83.

[The remaining constitutions of Giles de Bridport which follow in the Oxford and Cambridge MSS. relate to—

Procurations of Archdeacons. [Rural] Chapters to be held by the Archdeacon in each deanery at market-towns. On correction of offences (fines may not be levied; particularly in cases where the official has no authority to dispense). On appointment of [Rural] Deans. Maintenance of the Bishop's rights. Apparitors. Presentation of clerks to benefices. Residence of clerks. Clerical chastity and celibacy. The Constitutions "Ut veri (*al* vere) videamur evangelicae legis sectatores . . . (*text doubtful here*)" and "Praedecessorum . . . Quod ad firmam praebendarum . . . in decanatu Sar*um* . . . conventio ineatur" (from Council of Oxford, 1222; Lyndwoode, *Provinc.*, p. 151). On admission of Vicars. "Ad vicariam [vero] statuimus nullum de cetero . . . (from Council of London, *al.* "Oxon.," *ibid.*, p. 131). Infringement of sequestration. Admission of chaplains. Of persons of Religious Orders. Mortuaries. "Statutum felicis recordationis R. praedecessoris," &c., &c. (on tithes, and the second best animal left by a testator). Contract of marriage and banns. Scot-ales forbidden. Jews' bondmen. Penance to be imposed on persons excommunicate. Holidays, *ab agricultura*. Tithes. (*Expliciunt Statuta venerabilis patris* Aegidii *Sar. episcopi.*)

See D. Wilkins, *Concilia*, i. pp. 713–729; Spelman, *Concil.*, ii. 187, &c.; Lyndwoode, *Prov.*, ii. 6, &c.]

Introductory Note on the *College of St. Nicholas de Vaux.*

Finalis Concordia in curia Domini Regis. Hilary Term, Feb. 1259–60, at Westminster, 44° Hen. (III.) son of John. (See *Blyth* Register, f. 45, *St. Nicholas' Hospital Cartulary*, MS. p. 102 = pp. 33–35 in the printed edition, 1903.) Whereby the Dean and Chapter have exchanged their rights in St. Nicholas' Hospital for the nomination of one poor Brother. (See p. 87 *n., supra.*)

It seems probable that the de Vaux scholars, who were attracted to Salisbury about 1261, were (like their brethren of the same name who migrated from Paris to a valley in Auvergne) Biblicists and Scotists who left Oxford, or some other school of learning, where the newer methods of St. Thomas Aquinas had been then recently introduced, and where the mendicant scholars who adopted the philosophical methods of the newer school of learning and theology, then in the ascendant, were prevailing. In 1317, a married man, Roger Moton, and his wife Christian were (for a consideration) received as inmates to be accommodated in the House, and dine at the high table: Roger having a place of honour next the Warden, with right of succession, and his wife being allowed to sit where she chose. In 1325, the Chapter tried to rid themselves of the responsibility of the Valley Scholars, and decreed that they should all go to Oxford or to some other place of study, leaving their Warden and Steward in possession here. In 1400, J. de Boiton, citizen of Salisbury, a bowyer, bequeathed one-third of his estate "to the poor scholars" of Scholars' Vale of Salisbury studying (*scolatizantibus*) at Oxford. The house continued till the chantries and many hospitals were disestablished and pillaged. It is said to have had a Hall in Oxford; and there was also a tradition that a *testamur* from our Chancellor was sufficient to procure the Salisbury students a degree at Oxford. Possibly they held for a short time in the xivth century the like *prestige* to that which Wykehamists enjoyed at Oxford and Etonians at Cambridge at a later period, when an academical degree and a Fellowship at New College or at King's followed almost automatically for the scholars sent up from Winchester or Eton. Our Valley College was, as Mr. Leach has pointed out, "a very remarkable institution, being no less than the first recorded University College in England . . . older by three years than Merton"; the de Vaux scholars living under a Warden, and Salisbury was thus "practically a University," and "the Chancellor of Salisbury Cathedral School . . . asserted his authority over them, just as the Chancellor of Notre Dame asserted his over the University of Paris." (A. F. Leach, *Hist. of Winchester College*, 1899, p. 86.)

Foundation of the House of St. Nicholas de Valle Scholarium ("De Vaux College," or "Scholars' Vale"), *cir.* 1261–2.

In the Name of our Lord Jesus Christ. Amen.

We, Giles, by the patience of God, Bishop of Salisbury, to the honour of the same Lord and the glorious Virgin Mary and the blessed Nicholas, for the health of our soul, and those of our benefactors and all for whom in any title or manner we are bounden, have thought good to found, constitute, build, and construct a House to the use and ownership of Scholars, to be styled for ever *Valle Scholarium Beati Nicholai*, with the consent and assent of the lord Dean Robert [de Wykehampton] and the Chapter of Salisbury, and the Master and Brethren of the Hospital of B. Nicholas of Salisbury, in the meadow near the cathedral church of Sar. and the King's highway in front of the said Hospital; for the perpetual reception and maintenance of a Warden for the time being, two Chaplains, and twenty poor, needy, honest, and teachable Scholars, to serve God and the blessed Nicholas in that place, and to dwell there from this time forward, to study and make progress in the Divine page [of Holy Scripture] and the liberal arts,[1] which we grant, &c. in free, pure, and perpetual alms for ever: free from all secular service, &c.

Item. After diligent deliberation and discussion we

[1] Among the *Detecta et Comperta* at Bishop Beauchamp's Visitation of his Cathedral, 23rd September, 1468, a petition was brought forward: "Petitur ut prouideatur quod Scolares de Valle seruent intencionem fundatoris eorum et sint ibi predicatores." (Art. 7, *Machon. Reg.*, p. 171.) The Latin text of the Foundation Charter of the College of St. Nicholas de Vaux will be found in Wordsworth's *St. Nicholas' Hospital Charters*, pp. 38–40, and elsewhere: so it is not here repeated. Some account of De Vaux College is given in the book just mentioned, pp. lv.–lvii. 36–40, 44–50, 123, 283–292. On 30th December, 1350, Pope Clement VI. granted a petition from John de Wilton, allowing him to succeed Master John of Salisbury, named Pictor (who had died at Piacenza after having received the Indulgence at Rome) as Prebendary of St. Laurence Stratford sub Castro and Rector of St. Thomas's, Salisbury, notwithstanding that the said John of Wilton is a Scholar in the house de Valle Scholarum. He was also advocate in the Consistory Court of Salisbury. (*Papal Registers: Petitions*, i. p. 206 (1896).)

decree that after the decease of Sir John Holteby, Canon of Salisbury, who is now Warden (Custos) of the same house, there shall be a Warden of the said House of Chaplains and Scholars aforesaid, who shall be henceforth taken from the society itself (*de gremio*), provided that he be appointed by the approbation, assent, and good will of the Dean and Chapter aforementioned and of none other. . . . [The Warden of de Vaux College to be removable; to have plenary authority to correct in temporal and spiritual matters within the bounds (*ambitum*) of the House and its belongings there; with appeal to the Dean and no further. Dean and Chapter to be perpetual patrons.] Sealed by the Bishop, Dean and Chapter, and the Master and Brethren of St. Nicholas, in presence of Master Ralph de Hegham, Chancellor [of the Cathedral]; Ralph of York; Roger de la Grene, Archdeacon of Wilts; John of Burton, Subdean; Robert Foliot, Canon of Salisbury; Sir Ralph Russel, Sheriff (*vicecomes*) of Wilts.; Martin de Legh, Knight; Reginald de Wy[c]h, at that time Mayor of Salisbury; G. Chyun, W. Aubyn, Rorand de Herleghe, Reginald Cercy, William Chamberlain, and others.

Before his last crossing over the seas into France (whence he returned to die on December 13th, 1262), Bishop Giles de Bridport appointed J. de Holteby first Warden of St. Nicholas de Valle Scholarium, and enfeoffed the house for the support of scholars with an endowment of 18 librates of rent in the city of Salisbury, 2 hides of land in Lavington Episcopi, 1 hide in Wasing, Berks, 2 hides in Hertley and Berewefeld (Herberfeld) Berks, 3 acres of land in Dewlish with advowson of the Church of Milborne St. Andrew, and 2 acres of land in Alington and 1 in Waudiz (Walditch) with their advowsons, in Dorset. *Wilts. Inquis. post mortem*, 47° Hen. III. (No. 38, pp. 37, 38).

De Visitacione Ecclesie Cathedralis Sarcsburiensis
(4 Octob. 1262).[1]

Ex Registr. Osmund, *fo.* li°. = p. 102.

OMNIBUS CHRISTI fidelibus presentes litteras inspecturis uel audituris, R[obertus de Wykehamton] Decanus et Capitulum Ecclesie Sarr' salutem in Domino sempiternam.

Cartam venerabilis patris E[gidii de Brideport] Dei gratia Sarr' Episcopi inspeximus in hec verba.

"UNIVERSIS Christi fidelibus presentes litteras visuris vel audituris E[gidius] Dei paciencia Sarr' ecclesie minister humilis salutem in Domino sempiternam.

"Cum nos visitacionem faciendam in Capitulo nostro Sarr', tam in capite quam in membris, dicimur demandasse: ad cor et pleniorem deliberacionem super hoc reuertentes: inspectis Institutis beati Osmvndi Sarr' ecclesie fundatoris, et libertatibus et inmunitatibus quas idem fundator in dicta ecclesia stabiliuerit; consideratis consuetudinibus, quibus Sarr' ecclesia vsque ad nostra tempora regebatur; et vsa fuit, tam temporibus vacacionis quam sedis ordinate: Intellecto eciam quod nullus antecessorum nostrorum huiusmodi visitacionem exercuerit nec demandauerit; nos dictum mandatum, sub quocunque genere uerborum factum, ex certa consciencia penitus reuocamus: et ex eo, uel ob id, quicquid sequitur, pronunciamus et decernimus non valere: protestantes et statuentes pro nobis et successoribus nostris Episcopis in ecclesia Sarr', quantum ad nos pertinet, quod dictum capitulum Sarr', tam in paruis canonicis, vicariis, rebus et familiis ipsorum, tam in clauso Sarr' quam in prebendis

[1] This document has been entered in a charter-handwriting of the latter part of the thirteenth century in a space which was left in the lower part of *Reg. Osm.*, f. li. *verso* (p. 102) = i. p. 353–4, ed. 1883. Bishop Giles died about two months after he had written the letter here exemplified.

Of the Visitation of the Cathedral Church of Salisbury.
[4th Oct. 1262.]

TO all Christ's faithful who shall inspect or shall hear these letters present, Robert [de Wykehampton] the Dean and Chapter of the Church of Salisbury, eternal health in the Lord:

We have inspected the charter of the venerable father Giles (de Bridport) by the grace of God, Bishop of Salisbury, as follows:—

"To all Christ's faithful who shall see or hear these letters present, Giles by the sufferance of God the humble minister of the Church of Salisbury, health eternal in the Lord.[2]

"Whereas We are said to have demanded a Visitation to be made in our Chapter of Salisbury as well in its head as in its members, reflecting on our conscience and fuller consideration of this matter; after examining the constitutions of the Blessed Osmund founder of the Church of Salisbury, and those liberties and immunities which the same founder established in the said Church, and after considering the customs by which the Church of Salisbury was governed to our own day, and which it used both on occasions of its vacancy and also when the see was in order, and having understood that none of our predecessors either exercised or demanded such a Visitation; We with clear understanding do utterly revoke the said mandate under whatsoever terms it was expressed, and we pronounce and decree, that whatsoever is consequent therefrom, or arises because of it, is of no force; Protesting and determining for ourselves, and our successors as Bishops in the Church of Salisbury, so far as it appertains to us, that the said Chapter of Salisbury as well in respect of boy Canons ("little canons"),[3] Vicars, possessions, and families of its members, as also in the Close of Salisbury, as also in the prebends of the Church of

[2] Canon Jones prints "Deo" for "Dno."

[3] "*parui*": MSS. Petty canons, below canonical age for ordination. Called "*pueri* canonici" on p. 64, above. (Cf. *Use of Sarum*, i. p. 13: "*canonici pueri*, deinde ceteri pueri," *id.*, i. 51, "pueri vero, sive fuerint canonici sive non.")

Sarr' Ecclesie, a visitacione episcoporum Sarr' perpetuis temporibus existant liberi et inmunes: maxime cum hoc ad decani officium et dignitatem ipsius scimus[1] pertinere.

"Preterea vacantes vicarias prebendarum Sarr', et ordinaciones ipsarum, tam in taxacionibus faciendis quam in paruis presentandis, admittendis et instituendis, simul et correcciones vicariorum prebendarum, necnon et ipsorum vicariorum qui in ecclesia Cathedrali deseruiunt; plene et totaliter ad dictum Decanum et Capitulum recognoscimus pertinere: absque omni iurisdiccione et potestate episcoporum Sarr' pro tempore existencium. Saluis nobis et successoribus nostris presentacionibus vicariorum per canonicos prebendarum faciendis in nostris duntaxat maneriis. In huius rei fidem presentes litteras sigillo nostro fecimus communiri. Dat' Sarr' die Mercurii proxima post festum Sancti Michaelis. Anno Domini M°CC°LX° secundo."

4 Oct. 1262.

Nos igitur prescriptos reuocaciones, pronunciaciones et decreta, protestaciones, recogniciones et statuta rata habentes et grata, vnanimi consensu ea duximus confirmanda. Et ad maiorem rei fidem et firmitatem, sigilli nostri[2] communis impressione presens scriptum duximus roborandum.

Hiis testibus, Dn̄o R. Decano Sarr', Dn̄o R. de Heg̃ham, Cancellario; Dn̄o Roberto de Kareuill', Thesaurario; dn̄o Symon, Archidiacono Berk'; Dn̄o Nicholao, Archid. Sarr'; Johanne, Subdecano; Dn̄o Waltero, succentore; Nicholao Lingespeye[3] Dno Waltero de Merton;

[1] "Sciamus": *Lincoln Black Book*, p. 405, ed. 1892. (When contending against Bishop Alnwick, Dean Mackworth procured from Dean Bildeston a transcript of this clause, with other Salisbury documents, 25th August, 1440.)

[2] "sigilli nostris": MS.

[3] Lingespeye: *i.e.* Longespé, son of William and the Countess Ela. He became Bishop many years after his father's death.

Salisbury, be for all time free and exempt from Visitation of Bishops of Salisbury ; especially since we know that this matter appertains to the office and dignity of the Dean himself. Moreover, we recognise that vacant vicarships of Salisbury prebends and their ordinances (*ordinationes*) as well in making assessments as in presenting, admitting, and instituting boys (*parvis*), and at the same time also the corrections both of the Vicars of the prebends and of those of the Vicars themselves who serve in the Cathedral Church, belong fully and entirely to the said Dean and Chapter without any jurisdiction or power of Bishops of Salisbury for the time being ; saving to ourselves and our successors the presentations of Vicars to be made by the Canons of the prebends on our own manors only. For assurance of this matter we have caused these letters present to be confirmed with our own seal. Given at Salisbury on Wednesday next after the feast of St. Michael (October 4th), in the year of our Lord 1262."

We therefore have thought good to confirm with our unanimous consent the aforesaid revocations, pronouncements, decrees, protestations, renunciations and statutes, considering them ratified and agreeable ; and for its greater assurance and stability we have thought good to strengthen the present writing with the impression of our common seal, before these witnesses :—

Sir Robert [de Wykehampton] Dean of Salisbury [4]
Sir Ralph de Hegham Chancellor
Sir Robert Kareville Treasurer
Sir Symon [de Bridport] Archdeacon of Berks
Sir Nicholas [de Capella] Archdeacon of Sarum
John [de Burton] the Subdean
Sir Walter [de la Wyle] Succentor
Nicholas Longespé
Sir Walter de Merton [preb. of Yatesbury]

[4] Robert de Wykehampton, Dean from 1258 till 1274, when he was consecrated at Lyons on May 15th, by Archbishop Kilwarby, having been elected by the monks of Canterbury to succeed Walter de la Wyle in the vacancy of the primacy between 1270 and 1272.

Dn̄o Martino de Littelbur'; Roberto Desstrod; Th. de Ryptoñ; Roberto Folyot, et aliis.

Dat' Sarr' die Mercurii prox. post festum Sc̄i Michaelis. Anno Domini M°CC°LX° secundo.

ORDINACIO BONEFACII[1] *Archiepiscopi Cantuariensis* SUPER IURISDICCIONE *Ecclesie Sar'* SEDE VACANTE.

XV Kal. Feb. anno Regis Henrici III. 46° (= 18 Januar. 1262–3).

[MS. E. fo. 43b.]

[18 Jan. 1262–3.] UNIVERSIS CHRISTI fidelibus presens scriptum visuris vel audituris, Bonefacius, permissione diuina Cantuar' Archiepiscopus tocius Anglie Primas [et] R . . . Decanus et Capitulum[2] Sar*um* salutem in Domino sempiternam.

Cum ab inicio creacionis humane deus fecit hominem rectum, et ipse postea per liberum arbitrium infinitis se inmiscuit questionibus, occupacio magna et onus grue creata est super omnes filios Adam; illa, inquam, occupacio que per illicitum appetitum dominandi indebite et resistendi iniuste tanto facilius mentem hominis a rectitudine sue creacionis auertit, dissipat et euellit, quanto sensus et cogitaciones hominis proniora sunt in malum, Propter quod divina sapiencia increata racionalem sapienter instruit ad recte discernendum, Irascibilem potenter reprimit, Concupiscibilem suauiter excitat ad amandum,

[1] Mem. quod iste Bonifacius moriebatur circa annum domini 1270: E. *marg.*

[2] "Domino Decano et Capitulo" (Dayman and Jones, *Statuta*, p. 19). This may be what the scribe *ought* to have written. Rob. of Wykehampton (Bishop in 1274) was at this time Dean. It may be mentioned here that soon after the time of Archbishop Boniface, one of his successors in the primacy, John Peckham, Provincial of the Franciscan Order, exercised the right of Metropolitical Visitation. Archbishop Peckham usually opened his visitations of the several dioceses in his systematic six-years' course throughout his province, at the Cathedral Church of the diocese which he was visiting. He began with Canterbury and London, soon after his consecration and the Council of Reading in 1279, and, notwithstanding his conflict with King Edward I. as to the right of visiting royal chapels in 1280, he reached Lichfield,

Sir Martin de Littleberie [preb. of Stratton]
Robert de Strod[e, preb. of Grimstone]
Thomas de Rypton [preb. of Beaminster I.]
Robert Folyot [prebendary] ,—and others.

Given at Salisbury on the Wednesday[3] after the feast of St. Michael, A.D. 1262.

Ordinance of Boniface, Archbishop of Canterbury, on Jurisdiction of the Church of Salisbury when the see is vacant. 18 January, 1262-3 (46° Hen. III.).

TO all Christ's faithful who shall see or hear this present writing: Boniface, by divine permission Archbishop of Canterbury, Primate of all England, [and] R. the Dean and the Chapter of Salisbury [wish] eternal health in the Lord.

Whereas from the beginning of the creation of man God made man upright, but man afterwards by his free will involved himself in many questions, much travail therefore has been created and laid as a heavy burden upon all the sons of Adam. That travail (to wit), which by the unlawful appetite for ruling unduly, and for resisting unjustly, turns aside, dissipates and tears away the mind of man from the rectitude of his creation, all the more easily, in proportion as the feelings and the thoughts of man are prone to evil. For which cause divine uncreated Wisdom doth instruct the Reasonable man wisely to discern rightfully, doth powerfully repress the Wrathful, and doth sweetly stir up the Appetitive[4]

7th April, 1280, and ended up with a visitation of moderate kind at Salisbury, about 12th June, 1285. On that occasion, or shortly after it, he dealt with the case of Sir Osbert Giffard, who was found guilty of abducting two nuns from Wilton. Archbishop Peckham enjoined his penance on 21st February, 1286. One item in it consisted in the knight's expulsion (without his sword or gilded spear) along with other penitents from the Cathedral door in the beginning of Lent (27th February), and his restitution with the rest on Maundy Thursday (15th April). See *Epist. Jo. Peckham* (R.S.), iii. 916, 917; cf. *id.* iii. 916, and the verses "In senis annis: cursus fuit iste Johannis," cited by R. L. Poole, from MS. Chichester Y, f. vii^{b}, in *Hist. MSS. Rep.* (various), 8vo, i. p. 189, and quoted on p. 110 *n.*, below.

[3] Canon Jones, i. 354, omits "die Mercur" in the last line.

[4] The Primate here uses the language of Aristotelian and Thomist Schoolmen.

quo magis per virtutem iusticie obediencia superioribus, doctrina inferioribus, concordia paribus obseruetur, et caritas in proximos dilatetur. Hinc est quod vniversalitati vestre volumus esse notum, questionem, que inter nos Bonefacium, Archiepiscopum, ex parte una, et nos R . . Decanum et . . Capitulum Sar, ex altera super iurisdictione et potestate episcopali, sede Sar*um* vacante, in Romana curia fuerat diucius agitata, post varios pacis tractatus, tandem mediantibus bonis viris ad vtriusque ecclesie vtilitatem, communi assensu nostro, * amicabiliter quieuisse in hac forma; videlicet, quod quociens in futurum sedem Sar. ecclesie, per mortem vel cessionem episcopi, vel alio quocunque casu vacare contigerit, Canonici, quos presentes esse contigerit, tres vel quatuor de Canonicis ipsius ecclesie infra duos vel tres dies cum certum fuerit eisdem sedem Sar' vacare, nominabunt, quorum nomina, cum ea festinatione qua commode fieri poterit, dicto domino Archiepiscopo, si fuerit in prouincia, vel ejus Officiali in eadem agenti, si dictus dominus extra fuerit, destinabunt; de quibus Canonicis nominatis vnum eliget, faciet, et constituet dictus dominus Archiepiscopus, vel ejus officialis, ipso archiepiscopo agente extra prouinciam, Officialem Sar*um* ad exercendum iurisdictionem episcopalem[1] in Ciuitate et Diocesi Sarr' toto tempore vacationis. Idem vero officialis Sar*um*, antequam iurisdictionem predictam incipiat exercere, predicto domino Archiepiscopo corporale prestabit juramentum, vel alii cui committet huiusmodi sacramentum recipiendum in Ciuitate vel diocesi Sar*um* si fuerit in prouincia. Si vero extra prouinciam, tunc jurabit Officiali Cantuarensi vel alii cui committet idem Officialis huiusmodi juramentum recipiendum in Ciuitate vel Diocesi Sar', quod officium sibi commissum legaliter et fideliter exequetur; et quod

* fo. 44. E. 44.

[1] "Robert Wyvill appears to have been such an official before his own consecration in 1330 (Jo. Sar.). In 1450, on the death of Bishop Ayscough, the *Precentor* (Nic. Upton) acted at once on his dignity as *Presidens natus*" (Burgh Reg., p. 55). For Lincoln, see Bishop W. Alnwick's *Laudum*, or *Award* (ed. 1913–14), p. 6 *n.*; *Lincoln Black Book*, 311–312.

to love, so that by the strength of justice obedience towards superiors, teaching towards inferiors, harmony towards equals may the more be exercised, and charity towards neighbours may abound.

Hence it is that We desire it to be known to you all that the question which had been long in dispute in the court of Rome between Us, Boniface, Archbishop, of the one part, and us R., the Dean, and the Chapter of Salisbury on the other, concerning episcopal jurisdiction and power in the vacancy of the see of Salisbury, hath at length, after various proposals of peace by the intervention of good men for the benefit of both our Churches been, by our common assent, peacefully settled in this sort; to wit, that so often as hereafter it shall chance that the see of the Church of Salisbury shall be vacant, whether by the death or cession of a Bishop, or by any other chance, the Canons who may happen to be present on the spot shall nominate three or four of the Canons of the Church itself within two or three days after they shall have ascertained that the see of Salisbury is vacant; and that they shall send the names, with what speed they conveniently may, to the said Lord Archbishop if he be in the Province (or to his official, acting in the same, in case his Lordship be absent therefrom).

From these Canons nominated the said Lord Archbishop (or if the Archbishop himself be absent from the Province, his official) shall choose one as official of Salisbury to exercise episcopal jurisdiction in the city and diocese of Salisbury during the whole time of vacancy. The same official of Salisbury shall, however, before he begin to exercise the said jurisdiction, take his corporal oath before the said Lord Archbishop or some one to whom he shall commit the administering of such solemn oath in the city or diocese of Salisbury, if he be in the Province; but, if he be beyond its limits, then the official of Salisbury shall make oath to the official of Canterbury, or to some other whom the said official of Canterbury shall commission to receive such oath in the city or diocese of Salisbury, That he will lawfully and faithfully execute the office to him committed, and that he will not

subditos clericos et laicos, religiosos, et scholares predictarum Ciuitatum et Dioceseos per malitiam seu iniuriam non concuciet, vel in rebus seu personis iniuste grauabit scienter nec indebite molestabit;—Immo ab oppressionibus et illicitis exactionibus penitus abstinebit, et quod dicto domino Archiepiscopo vel suo officiali, de obuencionibus et proventibus racione iurisdictionis seu officii prouenientibus, quatenus ipsum dominum Archiepiscopum contingent, fideliter respondebit. Jurabit eciam coram Canonicis in ciuitate Sarr' presentibus quod libertates et consuetudines Ecclesie Sarr' pro posse suo, in omnibus officium suum et iurisdictionem suam tangenti-
† fo. 44b. bus, seruabit † illesas, et quod fidelis erit ecclesie Sar', et in executione iurisdictionis fideliter se habebit ut superius est expressum. Et si forte vacacione durante idem Officialis cesserit vel decesserit, vel ex iusta causa amotus fuerit, predicti Canonici tres vel quattuor de Canonicis Sarr' in forma premissa nominabunt. De quibus dictus dominus Archiepiscopus, vel eius officialis unum eorum in dictis civitate et diocesi officialem constituet sicut prius.

Predicto autem officiali Sarr' fient presentaciones ad beneficia vacancia qui instituet et destituet. Conferet eciam beneficia vacancia, que quoquomodo per episcopum iure episcopali possunt conferri, examinabit huiusmodi eciam elecciones et personas electas, et huiusmodi electiones confirmabit, seu infirmabit; visitabit eciam religiosos clericos et laicos, et correctiones faciet, et omnem iurisdictionem ac officium racione iuredictionis exercebit, nomine dicti Archiepiscopi, quam episcopus Sarum exerceret plena sede. Habebunt autem persone in dignitatibus et officiis constitute, Archidiaconi et Canonici in suis dignitatibus officiis et administrationibus, et prebendis, personis, rebus et familijs, tam in ciuitate quam in prebendis suis, necnon et in ecclesijs et parochijs ad communam spectantibus, eandem libertatem dignitatem et consuetudinem

maliciously or injuriously molest the subject clerks, or lay-folk, or any persons of religion, or scholars of the said city and diocese, nor will he knowingly aggrieve them unjustly in chattels or persons, nor trouble them unduly ;— nay, he will utterly refrain from oppressions and unlawful exertions ; and that he will faithfully give account to the said Lord Archbishop, or his official, concerning all receipts and profits accruing in consideration of his jurisdiction or office so far as they shall relate to the said Lord Archbishop. He shall make oath also before the Canons present in the city of Salisbury, That to the best of his ability he will keep uninjured the liberties and customs of the Church of Salisbury in all matters concerning his office and jurisdiction, and that he will be faithful to the Church of Salisbury and will act faithfully in execution of his jurisdiction as is hereinbefore expressed. And in the event of the death or decease of the said official, or his removal for some just cause while the see still remains vacant, the aforesaid Canons shall nominate three or four of the Canons of Salisbury in the manner before described, and from these the said Lord Archbishop or his official shall appoint one as official in the said city and diocese in the aforesaid manner.

All presentations to vacant benefices shall be addresed to the said official of Salisbury, who shall institute and shall deprive. He shall also collate to any vacant benefices which could be conferred in any way whatever by the Bishop in his right as Bishop. He shall also examine such elections, and the parties who are elected, and such elections he shall confirm or shall annul ; he shall also visit religious persons, clergy and lay-folk, and shall correct them ; and in the name of the said Archbishop he shall exercise all jurisdiction and every office relating to jurisdiction, which a Bishop of Salisbury would exercise if the see were not vacant. The *Personæ* established in dignities and offices, and the Archdeacons and Canons in their dignities, offices and administrations, in their prebends, persons, property and families, as well in the city as on their prebends, in the churches and parishes also pertaining to the communa, shall have the same

quam habuerunt et exercuerunt ordinata sede, maxime quantum ad libertates, instituta et statuta que beatus Osmundus et successores sui in eadem ecclesia statuerunt et concesserunt, quibus Decanus et Capitulum similiter utuntur plena sede.

Preterea in beneficiis que canonici in episcopatu preter prebendas optinent et optinebunt, Decanus et Capitulum juredictionem episcopalem habeant et exerceant in eisdem, vacante sede, quamdiu Canonici ea tenuerint. Ita quod dominus Archiepiscopus, vel suus officialis Sarr', sede
* fo. 45. vacante constitutus, iuredictionem * episcopalem jure diocesano non exerceant in eisdem, vel in clero vel in populo dictis parochijs subiecto;—Item in ecclesijs de patronatu Episcopi existentibus, videlicet, Prestchet, Paulesholte, Brembe(l), S. Thome Martiris Ciuitatis Sarr', et in domo religiosa de Kyngtō monialium, que similiter de patronatu Episcopi existit, Decanus et Capitulum omnimodam iuredictionem episcopalem exercebunt; vel Capitulum, vacante Decanatu. Habebunt insuper dicti Decanus et Capitulum, vel Capitulum, decanatu vacante, omnimodam juredictionem episcopalem que Episcopus Sarr' exercere posset plena sede, in quinque monasteriis inferius annotatis, videlicet Sireburne, Middelton, Cerne, Lacok, Habendone. Ita quod nec Archiepiscopus, nec eius officialis vel alius nomine ipsorum iure diocesano iuredictionem episcopalem ratione vacacionis aliquatinus exerceat in monasterijs supradictis. Habebunt insuper dicti Decanus et Capitulum, vel Capitulum, vacante Decanatu, et recipient per manum Officialis Sar' terciam partem sequestrorum, alijs obuencionibus, perquisitis, prouentibus, ratione iuredicionis seu officij qualitercunque prouenientibus domino Archiepiscopo integraliter reseruatis. Expensas autem competentes dictus dominus Archiepiscopus Decanus et Capitulum, de prouentibus et sequestris pro rata quantitatis eos contingentis, Officiali Sarr' sede vacante ministrabunt. Credetur autem eidem

freedom, rank and custom which they have had and have exercised when the see was in order, and such particularly as the Blessed Osmund and his successors established and granted in the said Church with regard to the liberties, institutions and statutes which the Dean and Chapter use in like manner when the see is full.

Furthermore, in the benefices which Canons obtain or shall obtain in the diocese over and above their prebends, let the Dean and Chapter have and exercise episcopal jurisdiction in the same while the see is vacant so long as the Canons hold them. Provided that the Lord Archbishop or his official appointed during the vacancy of the see of Salisbury exercise not episcopal jurisdiction by diocesan right over those benefices or over clergy or people who are subject to the said parishes: Also in churches which are in the Bishop's patronage, to wit, Preshute, Poulshot (Paulshotte), Bremble (Bremhill), St. Thomas the Martyr's of the city of Sarum, and in the religious house of Nuns' Kington, which in like manner belongs to the Bishop's patronage, the Dean and Chapter (or, in the case of the Deanery being vacant, the Chapter) shall exercise all episcopal jurisdiction whatsoever. Moreover the said Dean and Chapter (or, in vacancy of the Deanery, the Chapter) shall have all episcopal jurisdiction whatsoever, which the Bishop of Salisbury could exercise if the see were full, in the five monasteries noted below: Sherborne, to wit, Milton, Cerne, Lacok and Abingdon. Provided that neither the Archbishop nor his official, nor any one in their name do exercise episcopal jurisdiction by diocesan right on account of the vacancy in the said monasteries in any wise.

Moreover the said Dean and Chapter (or, in case of vacancy of the Deanery, the Chapter) shall have and receive at the hands of the official of Salisbury a third part of the sequestrations, all other receipts, perquisites and profits which shall accrue on account of jurisdiction or office in whatsoever way, being reserved entirely to the Archbishop. But the said Lord Archbishop, and the Dean and Chapter, shall contribute to the official of Salisbury adequate allowance for expenses in the vacancy of the see, from profits and sequestrations according to their

Officiali, super quantitate obuentionum, sequestrorum, et prouentuum, necnon eciam expensarum suarum, per juramentum prius prestitum sine vlteriori ratiocinio. Item licebit Decano et Capitulo, vel ipsius Decani vicesgerenti, vel Capitulo, Decanatu vacante, uocare aliquem Episcopum, si uoluerint, pro ecclesiis sue iurisdictioni reseruatis dedicandis, et pro ordinandis Canonicis, vicarijs, et
† f. 45b. clericis Canonicorum † deseruientibus in ecclesia vel prebendis Sarr', et ecclesiis spectantibus ad communam iure episcopali, si dominus Archiepiscopus in ciuitate vel Diocesi Sarum ordines non celebrauerit, seu ecclesias presens in ciuitate vel Diocesi Sar*um* noluerit dedicare. Si autem fuerit in civitate et diocesi et ordines celebrauerit, Canonicos et clericos predictos ad presentationem Decani et Capituli libere ordinabit. Salvis in omnibus, et per omnia, libertatibus et consuetudinibus quas habent Persone et Canonici Sar', plena sede, circa clericos suos examinandos et ad ordines presentandos. Hec autem omnia et singula, prout superius sunt expressa, per nos et successores nostros bona fide sine fraude et dolo, inter nos et ecclesias nostras, perpetuis temporibus tenere et obseruare promittimus et vouemus, et quod contra premissa, vel aliqua de premissis, non veniemus scienter; super quibus tenendis perpetuis temporibus et servandis, Nos, Archiepiscopus, presencialiter, et Nos, Decanus, pro nostris et successoribus nostris, presencialiter, et in animabus Canonicorum nostrorum Sar' procuratoris nomine, tactis
(Reading: 18 Jan. 1262–3.) sacrosanctis euangeliis, corporale prestitimus, ad robur plene firmitudinis, iuramentum.

Acta apud Rading, xv mo. Kalend. Februar. Ao. Dni. mcclxii°. Presentibus Reu. patre dn̄o Waltero dei gracia Wygorñ Episcopo, Magistro Thoma de Cantelupo, R. decano, R. Cancellario, et R. thesaurario Sar'. Magistro Waltero

relative proportion and credit. And the official shall be trusted as to the amounts of profits, sequestrations and receipts, as well as for his own expenses, in accordance with the oath which he has taken, without his accounting further.

Also it shall be lawful for the Dean and Chapter, or to the Dean's vicegerent, or when the Deanery is vacant to the Chapter, to call in a Bishop, if they please, to dedicate such churches as are reserved to their jurisdiction, and for the sake of ordaining Canons, Vicars and Canon's Clerks serving in the Church or prebends of Salisbury and in churches belonging to the communa by episcopal right, if the Lord Archbishop shall not have celebrated ordination in the city or diocese of Salisbury; or if, being present in the city or diocese of Salisbury, he shall decline to dedicate churches. But if he shall be in the City and Diocese and shall celebrate orders, he shall freely ordain the aforesaid Canons and Clerks on the presentation of the Dean and Chapter, saving in all things and through all things the liberties and customs which *Personæ* and Canons of Salisbury hold when the see is full, as to examining their own Clerks and presenting them to orders. All and several the above matters as they are expressed above we promise and vow to hold and observe between ourselves and our churches in perpetuity by ourselves and our successors in good faith without deceit or guile, and that we shall not contravene the foregoing or any of them knowingly; as to holding which, and keeping them for succeeding ages, we the Archbishop being present, and we the Dean, for our men and our successors, being present, and in accordance with the mind of our Canons of Salisbury as their proxy, and laying our hand upon the holy Gospels, have tendered our corporal oath for full corroboration and security.

Given at Reading, 15 Kal. Feb. (Jan. 18th), in the year of our Lord 1262–3, in presence of the Reverend Father Lord Walter, by the grace of God Bishop of Worcester, Master Thomas de Cantelupe, R[obert de Wykehampton] the Dean, R[alph Hecham] the Chancellor, and Robert [de Kareville] the Treasurer of Salisbury, 18 Jan. 1262–3.

Scamel, Galfrido de Meleburñ Canonicis Sarr', magistro P. de Auxona Officiali Cantuar', Magistro Ponc'o Sabler' Senescallo dñi Cantuar' Archiepiscopi, Magistro Constantino Officiali Sar'. Sede vacante, Magistro Johanne de Auxona et alijs.

In cuius rei plenius testimonium et munimen presenti instrumento in modum cirografi * confecto sigilla nostra alternatim apposuimus. Et ut presens composicio firmior habeatur, Prior et Capitulum Cantuar' ipsam expresso ratificantes consensu presens instrumentum sigilli sui munimine roboratum (? fecerunt., *vel* roborarunt.).[1]

* f. 46 = p. 103.

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* E. f. 42.

*De Jurcdictione Cancellarii Sar', et Subdecani.

[Lib. Evid. C. 419.]

A.D. 1278-9; Wed. 8 March 1278-9.

DIE Mercurij, viij Idus Martii, Anno Domini 1278, Presentibus in Capitulo Sarum, Dnis, Waltero, Decano; Johanne, Precentore; Symone, Cancellario; Nicolao, Thesaurario; Stephano, Berks[2]; et Henrico, Wyltesir', archidiaconis; Willielmo, Subdecano: Johanne, succen-

[1] The Latin verses in the Dean and Chapter's "Muniment Book," marked "Y" at *Chichester*, fo. vij^{b}, imply that Archbishop J. Peckham included Salisbury diocese (about 1284) in his "*cursus visitandi provinciam Cantuariensem*," *cir.* 1280-85.

[A.D. 1282–1287. [1282-3].

In senis annis cursus fuit iste Iohannis:
Cantia, Londonia, Lichfeud, Norfolchia, Bada,
Cornub, Herforda, Wygorn., Cicestria, Rofa,
Winto, Seynt Asaph, Bangor, Menevia, Landaph,
Linco. pregrandis, brevis Ely, Sar. mediocris.

[Sept. 1284.] Cursu finito { Idem currendo redito / Meritis (?) sibi Christe finito. }

Hist. MSS. Commission Report, 8vo. i. p. 189 (1901).

I have given a list of some Metropolitical (and other) Visitations of *Lincoln* in *Linc. Cathed. Statutes*, ii. p. clviii. (1897); *Award of Bishop Alnwick*, p. 10 (1913). Robert Wykehampton, the blind Bishop of Salisbury, died 24th April, 1284, and Dean Scammel was consecrated at Sunning by Archbishop Peckham on 22nd October, 1284. Peckham writes, 26th August, 1285, that he had visited Salisbury diocese sometime before the latter date. It was not till 21st February, 1286, that he dealt with the offence of Sir Osbert Gifford in abducting a kinswoman and another nun from Wilton.

[2] Breks: MS. *E.*

Master Walter Scamel, Geoffrey de Meleburn, Canons of Salisbury, Master P . . . de Auxona,[3] official of Canterbury, Master Pontius Sabler steward of the Lord Archbishop of Canterbury, Master Constantine,[4] official of Salisbury in vacancy of the see, Master John de Auxona and others.

In further witness and confirmation whereof we have affixed our seals on either hand to the present instrument drawn up after the manner of an indenture; and in order that the present composition may be the better established, the Prior and Chapter of Canterbury, ratifying it with express consent, have confirmed the present instrument with the protection of their seal.

[It appears from citations in Bishop Roger de Mortival's Code of 1319–24, sections xxix., xxxi., xxxix., that Dean Robert de Wykehampton issued in 1268 (July 9th) statutes *De Vicariis in ordine quem prebendarum cura requirit* (*i.e.* Subdeacons, Deacons, or Priests), and *Super incontinentia et negligencia Vicariorum.*]

On the Jurisdiction of the Chancellor and Subdean of Salisbury.[5]

(8TH MARCH, 1278–9.)

ON Wednesday, the 8th of the ides of March, A.D. 1278, were present in the Chapter:—sirs

Walter [Scammel] dean
John [de Burton] precentor
Symon [de Micham] chancellor
Nicholas [Longespé] treasurer
Stephen, Archdeacon of Berks
Henry, Archdeacon of Wilts
William [de Schireborn] subdean
John [de Middleton] succentor

[3] Ausona: the Avon (Northamptonshire).—Trice Martin.

[4] Constantine de Milde(n)hale, Canon of Salisbury *cir.* 1265, is named in *Regist. Malmesb.*, ii. 76, but his name does not occur in Jones' *Fasti*. Dayman and Jones have also omitted the names of the witnesses in the present instance at p. 21 of their *Statuta*.

[5] From MS. E., f. 42; *Liber. Evid. Capituli*, 419.

Wed. 8 March, 1278-9.

tore; Willielmo, penitentiario; Hugone de la Penne; Galfrido de Muleburn: Willielmo de Brymptōn, Canonicis Sar*um*:—Cum de jurediccione inter scolares in ciuitate Sar*um*, studiorum causa commorantes, exercenda inter Cancellarium et Subdecanum predictos, quorum uterque iuredictionem ipsam ad suum officium pertinere dicebat, discensio quedam exorta fuisset, tandem habito super hoc tractatu in Capitulo die ipsa, de utriusque ipsorum expresso consensu, conuenit in hunc modum,—videlicet, quod dictus dn̄s Cancellarius, ad cuius officium pertinet scolas regere, inter omnes scolares cuiuscunque facultatis existant, studiorum causa in Ciuitate ipsa commorantes, qui tanquam scolares certi doctoris, cuius scolas frequentant, recommendacionem et testimonium habeant, de contencionibus ciuilibus et personalibus que pecuniarium interesse respiciunt, et scolasticis contractibus omnibus, et eciam si laicus aliquem huiusmodi Scolarium in consimilibus causis impetere voluerit, cognoscat et diffiniat: et presbiteri ciuitatis decreta et precepta eiusdem Cancellarij in hijs exequi teneantur. De aliis vero clericis, et qui extra studium certi doctoris scolas minime frequentant [et] ibidem moram fecerint omnimodam, et de scolaribus ipsis, si forsan de lapsu carnis seu delicto alio ibidem commisso, quod ad correccionem pertineat et salutem respiciat animarum, notati fuerint, Subdecanus ipse, qui est archidiaconus † ciuitatis, iuredictionem et correccionem habeat[1]; exceptis tamen vicariis et clericis maioris ecclesie, tam studentibus quam aliis, In quos Decanus cum Capitulo, et

† f. 42ᵇ.

[1] See above, pp. 30, 61, and cf. No. vii. among the following statutes of 1319.

William [de Cerdestoke] penitentiary
Hugh de la Penne
Geoffrey de Muleburn
William de Brympton
Canons of Salisbury

Whereas a contention had arisen, about the exercise of jurisdiction among the scholars who reside in the city of Salisbury for the purpose of their studies, arising between the Chancellor and the Subdean aforesaid, each of whom asserted that it appertained to his own office; at the last, after discussion thereupon in the Chapter this day, an agreement was made by the express consent of either of them, in this wise, to wit that the said sir Chancellor, to whose office it belongs to rule the schools, should take cognisance and should decide disputes between all scholars residing in the city for the purpose of study, to whatever faculty they are attached, who have recommendation and testimonials as scholars of some specific teacher, concerning civil and personal contentions regarding some pecuniary interest, or any educational contract, and also whenever a lay person desires to implead any such scholar in a suit of the like nature; and agreement was further made that presbyters of the City be bound to carry out the decrees and precepts of the said Chancellor in these matters.

As regards other clerks, and those who, while living apart from academic discipline and without attending the schools of any specific teacher, are in some sense residing, and, furthermore, with regard also to the scholars themselves if they are reported for immoral conduct or for some other offence which has been committed by them in the said City, and which involves punishment and concerns their soul's health, the Subdean himself, who is Archdeacon of the City, is to exercise jurisdiction and correction of every kind.

The Vicars, nevertheless, and the clerks of the Great [Cathedral] Church, whether they be pursuing a course of study or not, are excepted; as, when the Dean is present, he himself (and none other), together with the

('Decano' *interlin.*) non alius, presente (Decano); Sub-Decanus similiter[1] cum Capitulo, Decano absente, secundum hactenus optentam ecclesie consuetudinem, omnimodam iurediccionem et cohercionem exercebunt; ita quod Cancellarius ipse per se nullatenus intromittat de eisdem.

[1] "At the enthronement of Bishop John Thomas the second (by proxy) in 1761, the Subdean, James Stirling Samber, Rector of St. Edmund, 1754, was given precedence over the non-residentiary Canons, it being mentioned in the Chapter Act Book that the Chapter went 'in procession according to dignity and seniority.' The Locum Tenens of the Dean supported the Bishop's proxy on the right, and the Subdean did so on the left, the Canons present, none of them being residentiary, followed. Samber was not a Canon, he had only been Subdean two years, and was junior in date of appointment to the Canons who followed" (A. R. Malden). Subdean Samber held this office from 7th August, 1759, till 1801. His brass seal, a rounded oval, represents the end of a church; in base, his shield of arms, a chevron between three mullets. It bears the legend, "James . Stirling . Samber . Subdean . of . Sarum . 1759. Benson and Hatcher, *Salisbury*, have a drawing of a mediæval "*sigillum* officialis (*or, possibly*, "officialitatis") *sub*decanat*us* Sar*um*," at p. xvi., plate i. No. 6. Among documents concerning the jurisdiction, there are sundry documents relating to that of the Subdean in the Registry of Peculiars over the north porch of the Cathedral. It appears from Dean Davyson's Visitation in 1480 (*Miscell. et Stat. quoad Sarum*, f. 106) that during the interval, when the office of Subdean chanced to be vacant, all jurisdiction, probate of wills, etc. throughout the City, and at Stratford-sub-Castle and other suburbs, reverted, not to the Archdeacon of Sarum, but to the Dean alone. There are two instances of a Subdean taking too much upon him (*cir.* 1480 and 1514). See W. H. R. Jones, *Fasti*, p. 441.

Note on the Order of Stalls in Choir, pp. 116, 117.

Winterbourne Earls was a comparatively modern prebend created in 1552, by exchange with Rote(s)fen a *deacon-prebend*, which then disappeared from its place in the order of stalls at no. 18, and was replaced by Winterbourne. I do not know on what grounds Canon Alexander Broadley was allowed to occupy a more honourable place at no. 50 on the same side (*Cantoris*) among *priest-prebends*, in 1863. Not improbably it was for some consideration of personal convenience; and such must have been the case with "Bricklesworth" (Brixworth in Northamptonshire) which is placed (abnormally) at no. 53, the stall next to the terminal stall of the Chancellor, to whose dignity the prebend of Bricklesworth continued to be statutably attached from 1248 until 1864, when Francis Lear (who had held it as Chancellor since 1861) was advanced to the Precentorship without resigning or

Chapter, shall exercise every kind of jurisdiction and coercion; and, when the Dean is absent, the Subdean, in like manner, together with the Chapter, shall exercise every kind of jurisdiction and coercion, according to the custom of the church as hitherto observed, so that the Chancellor is in no sort to interfere with those persons independently.

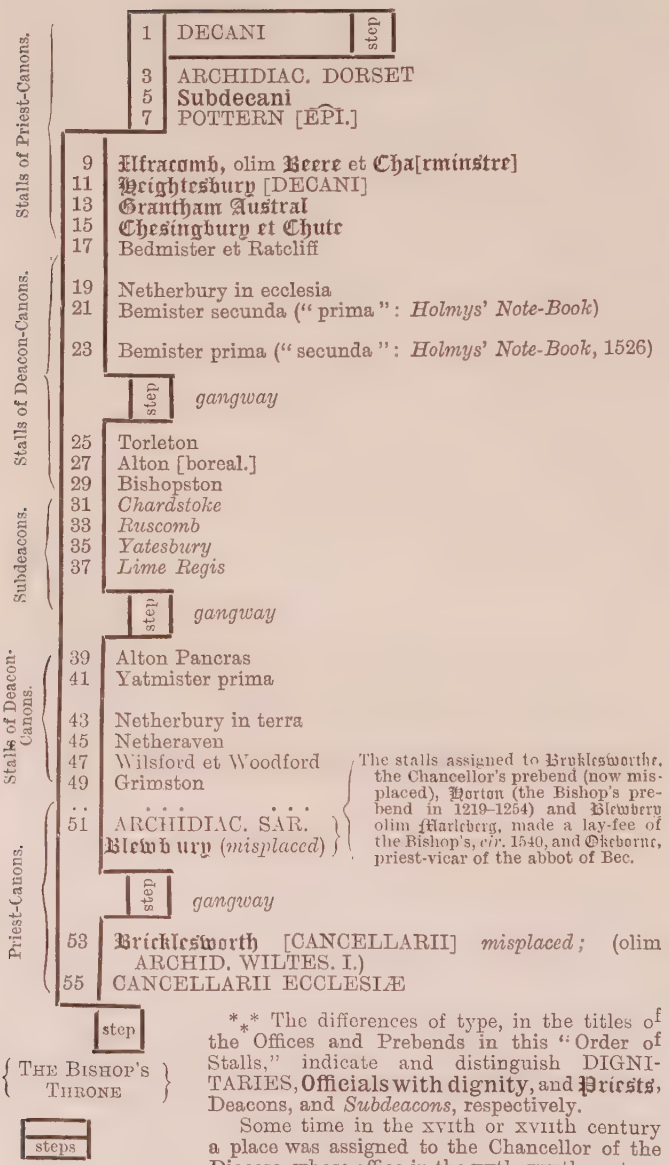
[Symon de Micham, who held the Deanery *cir.* 1288–1297, was the owner or compiler of a book, *Super gestis antiquis in ecclesia Sarisberiensi*, which contained, *inter alia*, a memorandum of his having excommunicated a Vicar who was sub-treasurer, and who presumed on his facilities of access to the muniment-chest to cancel a statute referring to the obligation of a Vicar to forward notices to his absent prebendary. (See below, Code of 1319, cap. x.)

Peter of Savoy (de Sabaudia) held the Deanery *cir.* 1297–1309. Statutes bearing his name are mentioned incidentally in chapters vi., xix., and xxvii. of the Code of 1319; viz.: "*De quinta parte prebende per Canonicum non residentem soluenda communario*" (1 Octob. 1305), "*De reparacione defectuum in prebendis per Canonicum*," and "*De ligatura librorum maioris altaris et chori ad onus Cancellarii pertinente.*" At cap. xix. of 1319 there is a marginal gloss, "*Decanus et Capitulum statuerunt, episcopo non presente.*"]

[Before proceeding to the important fourteenth-century code,—the "Constitutions or Statutes of Bishop Roger de Mortival,—we give here a collection of notes and documents, which (although some of them are presented in their modern form) seem to be requisite for the right understanding of the thirteenth-century customs which we have printed above.]

exchanging his prebendal stall. At Bayeux it was expressly stated in their Custom-book (p. 287) that in the case of a Dignitary of (*e.g.*) the *Cantoris* side being collated to some prebend on the opposite side of the Choir, he was not thereby entitled to a place on the *Decani* side; for "*locum prebende et sedem trahit ad se personatus.*"

ORDER OF STALLS



*** The differences of type, in the titles of the Offices and Prebends in this "Order of Stalls," indicate and distinguish DIGNITARIES, **Officials with dignity**, and **Priests**, Deacons, and *Subdeacons*, respectively.

Some time in the XVIth or XVIIth century a place was assigned to the Chancellor of the Diocese, whose office in the XVth–XIXth century was most usually exercised by a Prebendary or a Dignitary of the Cathedral Church. A stall-plate marked "*Cancellarii Dioeces.*" was affixed

IN CHOIR.

step
PRECENTORIS 2
ARCHIDIAC. WILTES (*olim* BERKS) 4
Succentoris 6
Ufcomb, olim Bedwin 8

Stalls of Priests-Canons.

Teinton Regis [*olim* CANTORIS] 10
Shipton 12
Gillingham major, olim Ramsbury 14
Bitton 16
Stratton 18

Deacons.

The place until 1863 *of* Winterbourne Earls, *olim* Rotesfen (a *Deacon*-prebend). . . . . ..
Husborn et Burbach 20
Slape 22
The place of Faringdon, *before* 1550 a *Subdeacon*-prebend *alienated*. . . . . ..
Comba et *Harnham* 24

gangway step

Stalls of Subdeacon-Canons.

Warminster 26
Yatmister secunda 28
Altaris pars minor 30
Gillingham minor olim *Axford* 32
Stratford 34
Preston 36

Deacons

Fordington et Writhington 38

gangway step

The stalls of *Upavon*, *Loders*, and *Sherburne*, assigned to priest-vicars of the abbots of S. Wandragesil, S. Mary Montebergh, both alien, and Sherborne. Upavon was given to Ivychurch Priory in 1423 by the King in an exchange for land, &c., in Clarendon.

Durnford 40
Grantham borreal 42
. . . .
Highworth 44
Altaris pars major 46
Calne [THESAURARII] 48

Stalls of Priest-Canons.

Winterborn Co[mitis] olim Rotesfen [a *Deacon*-prebend: ? misplaced. See the place next after no. 18. 50
<Stall-plate removed to no. 3.> 52

gangway step

ARCHIDIAC. BERKS. (*olim* WILTES II.) 54
THESAURARII 56

step

{ PULPIT IN CHOIR }

steps

to stall 56, but was removed in 1901, when the present Treasurer was duly installed in that seat in accordance with more ancient custom. It seems reasonable that the Chancellor of the Diocese, who, when present on solemn occasions, usually attends the Bishop, next his Chaplains, in processions (and likewise his Registrar and Legal Secretary) should have some place of honour reserved for him at no great distance from the Throne. A list of Chancellors is given below.

THE ORDER OF THE STALLS IN CHOIR.

THE arrangement of the seats in the Choir given on pages 116 and 117 is copied from the small brass plates attached to the backs of the several stalls on the "Decani" and "Cantoris" sides, as they were placed when the Choir was reopened (1st November, 1876) after restoration begun in 1863 by Sir Gilbert Scott, and continued under Mr. G. Edmund Street and Sir Arthur W. Blomfield.

The order of the stalls was in the main a reproduction of what is recorded in Dr. Rawlinson's *Hist. and Antiquities of the Cathedral Church of Salisbury* (and *Bath Abbey*), 8vo, 1723 (pp. 105–6), and reproduced in Fra. Price's *Description of that Admirable Structure, the Cathedral Church of Salisbury*, 4to, 1774, pp. 80, 81. (The mistake of placing the "Decani" side on the *north* and "Precentoris" on the *south*, was presumably a mere misprint in Rawlinson's book.) The fact that "Yetminster secunda" and "Altaris pars minor" found no place in the list of 1723 (and 1774) seems to us to point to the conclusion that it was actually completed some time between the years 1664 and 1679, at which time the one was held by Precentor Daniel Whitby and the other (simultaneously) by Subdean Ric. Kent, who would presumably be content with the official stalls assigned to them. However, a careful analysis of the order may convince us that the arrangement then in vogue in the days of King Charles II. and of Bishop Seth Ward and Dean Pierce, and handed down to us at the present day, is, with certain modifications, the same as was established in the thirteenth or fourteenth century, when the distinction of Priest-, Deacon-, and Subdeacon-Prebends was observed according to the Custom-Book of Bishop Richard Poore. [Since the foregoing statement was in type I have traced the arrangement with certainty as far back as *Mr. Holmys' Note-Book*, A.D. 1526. In two places he gives an order of prebends (including the Abbots' stalls, *Okeborne*, *Sherborne*, etc.) agreeing in every point with our arrangement (and observations), as printed on pp. 116–117,

excepting that it inverts the order of the two Beminster prebends (nos. 21 and 23) on the *Decani* side.]

The order of summoning the Cathedral body to the Bishop's Visitation may be seen, for instance, in the *Burgh Register*, as the citations issued were reported to the Bishop in the return dated 14th May, 1454, when (*a*) the *Chapter* numbered 16, viz. 4 *Personæ principales*, 8 Resident Canons, and 4 Archdeacons (Dorset, Berks., Wilts., and Sarum).[1] It may be noticed that the 8 Residentiary Canons (named before the Archdeacons) were not summoned according to date of installation,

[1] The Archdeacons of Dorset and Berks appear to have ranked as first and second (being placed next the Dean and the Precentor respectively), possibly from the earlier settlement of Christianity in those districts. We gather from St. Osmund's Institutions that he had Archdeacons; but he does not specify their number; and he names no district (beyond directing that the Subdean should exercise archidiaconal authority in his cathedral city and its suburbs), see pp. 26, 30. Fifteenth-century tradition credits Osmund with having founded the four principal Archdeaconries, including the "two of Wilts" (pp. 34, 57). In the earliest Salisbury Custom-book, Bishop Ri. Poore styles the third and fourth, "the *Archdeacon of Wiltshire*," and "the *Other Archdeacon of Wiltshire*" respectively (pp. 63, 64, *supra*). In note [2], on p. 63, I have followed Canon Jones, who, in his *Fasti*, places the Archdeacon of *Sarum* before the Archdeacon of *Wilts;* and, so far as I have observed, the Archdeacon of Sarum always signed his name, or was named in documents, as the senior of the two, *circ.* 1219-1263 (see *Osm. Reg.*, i. 387; ii. 108; *Sarum Charters*, 230, 314, 359). On one occasion (in 1214) Sarum signs even before Berks, according to our revised text, p. 52. We find the order, "Berks, Sarum, Wilts," again in 1672. However, the Visitation citation of 1454 gives the names of the Archdeaconries as Dorset, Berks, Wilts, and Sarum, and they are expressly thus enumerated in the elaborate *Answers* prepared by W. K. Hamilton, at that time Precentor, and countersigned by Dean H. Parr Hamilton (in response to the Questions of *Cathedral Commissioners*, 1st series, 31 Jan., 1853), *Appendix to Report*, p. 363. Jones, *Fasti*, p. 169, tells us that Roger, Archdeacon of Ramsbury ("*Rammesberie*"), occurs in MS. Cotton, Claud. B. iii. as witnessing a deed entered in the York Register, on 7th Dec., 1157. He identifies him (*id.*, p. 146) with "Roger, Archdeacon of Berkshire," who occurs in *Regist. Osm.*, i. 218, as witness to a charter of Bishop Joceline, *circ.* 1152-62, and in a XIIth-century Lincoln Obit list, under the date of March 24th. "Roger the Archdeacon" founded Heytesbury Collegiate Church, and claimed High Deveril Church as attached to his prebend (*Reg. Osm.*, i. 337, 351), and is presumably the "Roger, Archdeacon of Wiltshire," who had land at Godalming, and gave tithes from Horningsham and Titherington to two priests serving Heytesbury (*id.*, i. 207, 343).

but according to the ecclesiastical "order" of their prebends: viz. in this instance, 2 Sacerdotes, 5 Diaconi, 1 Subdiaconus. Even this last was at this time, I presume, as a matter of fact in priest's order, as a Cardinal "Deacon" or "Subdeacon" maybe, or as Clement Maydeston, who, although he was one of the four "Deacons" in Syon Convent, and was in 1456 entered as "*diaconus*" in their Obit Book, described himself as "*Sacerdos*" in his *Prologus* to the Pye some time previously: *Tracts* by Maydeston (1894), p. xxix.; *Directorium Sacerdotum*, ii. p. 25 (1901).

(*b*) The Non-residentiaries are arranged in like manner, not by seniority of collation, but in what I have called "the ecclesiastical order of their prebends," viz. 11 Sacerdotes,[1] 13 Diaconi, and 12 Subdiaconi. In 1454 Subdean H. Duke and Succentor W. Berwick were not Canons, and are not in the list of (*a*) the Capitulum, or (*b*) the non-resident Canons holding Priest-, Deacon-, or Subdeacon-prebends. A few years later the case was somewhat different. When Bishop Ri. Beauchamp was about to visit the Cathedral again in 1468 the Subdean (W. Nessingwick) held the Subdeacon-prebend of Faringdon, and, being bound to residence by virtue of his office, he was, not unnaturally, a "residentiary" Canon. He was on several occasions deputed to act as vice-gerent or *locum tenens* of the Dean, visiting the prebends, and, apparently, acting as president of the Chapter, but *not* in virtue of his office ("*non ut Sub-decanus*").[2]

In 1468 not only the Canons but the Vicars were specifically summoned. The *Vicarii chorales* then numbered 31, inclusive of "dns W. Cokkes, succentor," who did not hold a prebend.

Besides these there were 5 *Presbyteri Stipendiarij* (viz. 2 for the Robert Hungerford Chantry at the altar of All

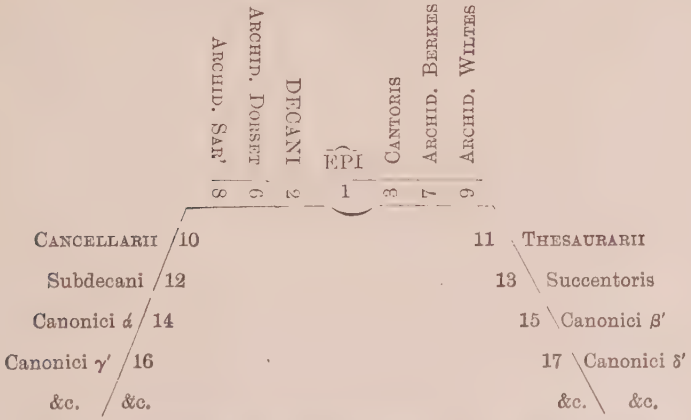
[1] *Twelve* Priest-prebends are in fact named; but as "J. Redehul de Preston" is entered again among *Subdiaconi*, which was the proper rank of this prebend, we may treat the former entry (among "*Sacerdotes*") as a mere oversight. J. Redehul had only recently been collated.

[2] Canon Jones mentions that the like definitive clause was used in the register again in 1587 (*Fasti*, p. 441).

Saints, 1 for the Dean Kymer Chantry at the Relics altar, and the "presbiter sive Capellanus parrochialis in ipsa ecclesia cathedrali, summo mane quotidie celebrans ad altare S. Crucis." There were also 9 *Capellani perpetui Cantariarum*, whose masses were sung respectively at the altars of B. Mary Magdalen, and St. Andrew (in the nave on the south side), and at the altar of the Annunciation of B. V. Mary (*Machon Reg.*, p. 169. Cf. *Salisbury Processions*, p. 228).

We print here THE ORDER FOR SITTING IN CHAPTER, arranged according to the thirteenth and fourteenth century Consuetudinary. The list of Psalms assigned for daily recitation by the Canons occupying the several stalls in Choir was, presumably, founded upon an early custom here, as it certainly was at Lincoln (*The Black Book, Lincoln Cathedral Statutes*, i. 300–307, 138–143). As, however, we have not come across an arrangement of the Daily Psalter for Salisbury earlier than the middle of the fifteenth century, we place the document among the statutes of that period in our present collection.

THE ORDER OF SITTING IN CHAPTER.



The accompanying diagram shows the order of arrangement of the places of the *Consilium Episcopi* in Chapter, as their precedence was prescribed by Bishop Poore, in his Consuetudinary about 1225 (see Frere's *Use of Sarum*,

i. p. 51). The sitting in Chapter is, however, here displayed on the lines of the eastern portion of the Chapter-house at Salisbury, which was not finished until about 1261. It may be presumed that the Chapter-meetings after prime were held in the *chevet* or eastern portion (*in capite* or *in capicio*) of the Cathedral Church, in the earlier part of the thirteenth century, after the manner of Norwich and Canterbury, where there were Benedictine Chapters of monks. The usages of secular Cathedrals with Canons of the Old Foundation were assimilated in some measure to those of monasteries in this institution of their common life.

Exeter and Lincoln Chapter-houses were built about 1225–45; Lichfield, 1240; Salisbury and Wells, after 1280; Hereford, in the fourteenth century.

It is interesting to notice that the arrangement of the places in Chapter at Bayeux in 1269 was virtually identical with that which we have indicated (on page 121) for Salisbury, their four Archdeacons at Bayeux being *Archidiaconus major*, Cadomensis, Oximensis (Caen and d'Hiesmes) and *ultimus Archidiaconorum*—only the fourteenth and fifteenth places were assigned at Bayeux to their *Scolasticus* and *Custos*, who ranked after the Succentor and above the *Canonici simplices*.

The *Magister Scholarum* is mentioned once in the Consuetudinary (*Use of Sarum*, i. 104) as being responsible for the choice of the readers of the second, third, and fourth of the five special lections from the Prophets, the Pentateuch, and Apocrypha, which precede the "Tract" and the Epistle on Saturdays in Ember weeks. The Precentor, as usual, was to arrange for the singing on those occasions.

At Bayeux, the *Scolasticus*, if present in Choir at mattins on Septuagesima Sunday, read the first lesson, which consisted of "*Desiderii mei desideratas*," &c., viz. the *Prologus Bibliotece*, or letter of Jerome to Desiderius, on the Pentateuch: *Cartul. Langevin*, 371, 382.

The history of the *Archischola* and the *Magister puerorum*, as well as that of the *Vicarii* and the *Capellani*, needs investigation.

Archischola.—At Salisbury, as in other old Cathedrals

of secular Canons, the Bishop "devolved the care of the school upon the Chapter, and particularly on the resident officer called the schoolmaster, who in early days was the second, and in later days the third or fourth, person in the Church.[1] Only in default of the schoolmaster and the Chapter did the Bishop himself resume control (as at Hereford in 1384). . . . At the Reformation the Cathedral school [of grammar] . . . went on as before, but, . . . not having acquired special endowments . . . nor acquiring such endowments subsequently, disappeared for lack of sustenance—the governing body, the Canons, failing to increase the ancient stipend [£1 10*s.* 4*d.* in 1448] or provide new buildings in accordance with the fall in value of money and educational demands" (A. F. Leach, art. "Education," in Ollard and Crosse's *Dict. of Eng. Church Hist.*, p. 193 (Mowbray, 1912). Until the chantries were dissolved in 1548, something could be done (and was done) by the Chapter in the fifteenth century, to find further maintenance for the master of grammar by appointing him as a chantry-priest in the Cathedral, and they procured on one occasion a schoolmaster (J. Lane, M.A.) from Winchester to rule the grammar scholars and to teach grammar to the choristers and altarists (*Burgh Reg.*, p. 18). In 1553, Chr. Benell, *ludimagister*, was paid £10 out of the Bishop's rents from property in Salisbury.

The School of "Glomery" was situated in High Street in 1308 (*Hist. MSS. Report*, 8vo, i. 343), and is styled "*schole grammaticales in alto vico sicut itur versus pontem de Ayleswade*"[2] in 1322 and 1356 (*id.*, pp. 345 *n.*,

[1] The "early days" of which Mr. Leach writes were prehistoric so far as the annals of Salisbury, and even of Old Sarum Cathedral, are concerned. In the eleventh century our *Archiscola* or Chancellor was the third *Persona* in the Chapter, as at present. At Bayeux likewise the *Cancellarius* ranked after the Dean and the Precentor. But there he was not required necessarily to reside in Bayeux, but might attend closely on his Bishop as Chaplain-in-Chief (*Archicapellanus*), ready to seal his lordship's documents. Consequently, his substitute the *Scolasticus* remained on the spot (ranking next to the Subdean and the Succentor), to help in education, and to assist in arranging those parts in the services which did not require the musical capacities of the Precentor.

[2] "Ayleswade, or the Upper Bridge, was the bridge over the Avon

357). Mr. Leach mentions (*ubi supra*, p. 195) that Salisbury was the earliest Cathedral school in England, with the exception of St. Paul's (in 1127) as having independent endowment assigned to itself specifically in 1137. The fact that it had some endowment so early by the grant of Odiham with the Church of Lys and Bynthewrthe and its dependent churches and chapels, conceded by King Stephen—a grant which, however, Mr. Macray dates as "after 1139" (*Sarum Charters*, pp. 8, 9) "*ad opus magistri Schole Sar.*"—may have tended to the claims of the school being overlooked among so many others which arose after the removal from Old Sarum in the development of the cathedral city. However, the grammar school continued its existence till the sixteenth century, being mentioned in our Statutes of 1558, cap. 19; as "the schoolmaster, with the usher and all the scholars," is in cap. 30. Eleven years later the patent of Queen Elizabeth (10th May, anno regni 11, A.D. 1569) called upon the Mayor and his brethren to appoint a schoolmaster and usher "to keep continually a free school within the city of New Salisbury" (*Return of Endowed Charities*, South Wilts., 1901–8, p. 370). She had been anticipated by the Dean and Chapter, who in 1566 had directed the master of the cathedral grammar school to make it a free school "ut ludimagister *libere doceret*, et neminem idoneum recusaret" (*Blacker Reg.*, p. 18). Her Grace could, however, enlist the sympathies and the services of the community. She held the emoluments of Cathedral chantries, and she could command the general receiver of Wilts to make an annual payment of £26 1*s.* 8*d.* to the Mayor and brethren towards maintenance of schoolmaster and usher. The story of Bishop Giles de Bridport's higher grade college for older scholars in Holy Scripture and the liberal arts in connection with the University of

below the Town Mill" (Rev. E. E. Dorling, *Hist. of Salisbury* (1911), p. 104). Some would identify it with "Aylewater brigge," which was at some point lower down the Avon, *i.e.* either a bridge not now extant in the direct line of Catherine Street and Exeter Street, or else Harnham Bridge, which was built by Bishop Bingham, in 1244, near St. Nicholas' Hospital, and which has one of its piers supported by St. John's Isle (see pp. 84–86). Passages in the *Tropenell Cartulary* (*circ.* 1392–1475) favour this last opinion.

Oxford, which existed from 1262 till about 1543, with a Warden and scholars under the supervision of the Chancellor of the Cathedral, is told elsewhere. Mr. Leach has pointed out that Bishop Walter de la Wyle's foundation in 1269 was for theologians only,[1] and was distinct from the foundation of his predecessor; but perhaps he has hardly given sufficient weight to the fact that it was the earlier founder who styled his college that of St. Nicholas *de Valle Scholarium*, and placed it *not* within our Hospital of St. Nicholas, though in the same (south-western) quarter of the city. Two buttresses and the old name "*De Vaux Place*," still remain to mark the site of the academic foundation, suppressed in the sixteenth century. A considerable portion of the buildings lasted down to living memory. This is shown in P. Hall's *Picturesque Salisbury* (1834). Walter de la Wyle's College for a provost and 13 priests (St. Edmund's) was founded in what was the northern border of New Salisbury, in 1269.

The Song School.—"The boys at the Choristers' School (at Salisbury) are boarded in the master's house, instructed gratuitously both in music and general knowledge; they have a provision for clothes, and an apprentice fee of £30 on quitting the choir. This is the most complete arrangement we have found existing in the old Cathedrals; and it appears that in this instance the ancient rule of putting the choristers under the special care of one of the resident Canons is still maintained." (*First Report of the Cathedral Commission*, 6th April, 1854, p. xxxiv.)

A small book might be written on the history of the *Vicars Choral* and of the *choristers* of Salisbury, such as the late Succentor A. R. Maddison wrote on the Lincoln Vicars Choral in 1878. Canon W. H. R. Jones devoted pp. 288–301 of his *Fasti* in 1879–81 to giving an account of the choristers. This book is full of interesting information, but it is a large one, and not, perhaps, generally accessible. Canon Jones gave 1319 as the date of the choristers' earliest special endowment. It was, however, unless I am mistaken, on 6th May, 1314, that King Edward II. gave licence to Bishop Simon of Ghent to

[1] *Dict. of English Church Hist.*, p. 195, col. 2.

appropriate to the maintenance of fourteen choristers and their master in grammar, certain tenements in the Close, and "shops" in the fish-shambles (*Liber Ruber*, f. 105*b*). Licence to appropriate Preshute Church (adjacent to Marlborough) was given by Pat. 14 Edw. II., p. 2, m. 18 and 19, in 1321, for the use of the Custos Puerorum (one of the Residentiary Canons) and the choristers; and in 1322 the King gave them a charter confirming the tithes in Preshute. These, together with the Chapel of St. Martin (built in 1240, and subsequently attached to St. Mary's, Marlborough, and destroyed about 1500), at that period were valued at £47 4*s*. 9*d*., out of which they paid £4 to the maintenance of a vicar at Preshute, and £2 to a chaplain of (St. Nicholas') free chapel in the Royal Castle at Marlborough, where the college now stands, half in Preshute and half in St. Peter's, Marlborough. St. Mary's, Marlborough, was at first a chapel, but became established as a vicarage under the Dean and Chapter in 1238, while Preshute ranked as a rectory till the choristers, or the Dean and Chapter on their account, became virtually rectors.

*** The Forms of Installation, which follow here, are those at present in use. In reprinting them we retain the spelling and the Latinity as these have come to us through what was traditional in such matters at the time (1880) when they were last printed. In order to understand the history of these forms, it might be well to compare them with the mediæval Latin forms, and to note the modifications made—in the sixteenth century in particular—as they are contained (on pp. 104-116, 120, 123) in my book of *Salisbury Ceremonies and Processions*, 8vo, Cambridge University Press, 1901.

For our present purpose it may be sufficient to show in the notes on pp. 127, 128 in what particulars the form of Declaration of a Simple Canon now in use, as printed in our text, was differently worded in the XVIth and other centuries, when it was administered as an Oath. We indicate, however, a few other variations, in our notes on p. 133.

FORMS OF INSTALLATION.

(*Printed in* 1880.)

* The Form of Installation used in the Cathedral Church of Salisbury. * p. 1.]

Salisbury: Bennett Brothers, Printers, Journal Office. 1880.

* Order of Installation. * p. 3.]

The Chapter being assembled in the Chapter House of the Cathedral Church at the time appointed by the Dean, his *Locum Tenens*, or other President of the Chapter for the purpose, the Person to be installed, will (habited in Surplice, etc.) deliver to the Dean or President of the Chapter the mandate from the Bishop for his Installation, saying:—

"I [*N.*] present to you the mandate of the Right Reverend the Lord Bishop of Salisbury for my installation to the [Prebend or Canonry of *Fordington, or as the case may be*] and I pray you to proceed according to the tenor and effect thereof."

The Mandate being then read by the Chapter Clerk, or certified by him to be in due form of law, one of the following Declarations will be made by the person to be installed, according to the Canonry or Prebend, Dignity or Office, to which he is to be installed:—

*[1] *Declaratio* **Canonicorum.** * p. 4.]

Ego, [*N.*] [2] Canonicus Ecclesiæ Cathedralis Sarum et Præbendarius Præbendæ de [*Fordington*] [3] declaro [4] canonicam obedientiam Decano et suis successoribus, fidelitatem Ecclesiæ Sarum, et quod consuetudines antiquas et

[1–2] "Juramentum Canonicorum *in admissione*—Ego A. B." (*MS.* E., f. 83.)

[3] "prebende de S (*two letters struck out*), Juro (*interlin.*), per": E.

[4] "Per hec sancta Dei euangelia per me corporaliter tacta (Juro)": *Proc.*, *E.* (*The word* "Juro" *subsequently struck out here in* E., *because inserted above*; see note [3].)

approbatas et Statuta[1] dictæ Ecclesiæ observabo, et ad earundem defensionem opem et operam diligentem impendam,[2] quatenus[3] cum Verbo Dei et Statutis hujus Regni consentiunt.[4] Et secreta Capituli quamdiu sunt secreta celabo.

Declaratio **Precentoris.**

Ego, [*N.*] Precentor Ecclesiæ Cathedralis Sarum declaro fidelitatem Ecclesiæ Sarum, etiam quod consuetudines antiquas et approbatas et Statuta[1] dictæ Ecclesiæ, et specialiter omnes consuetudines dignitatem meam concernentes fideliter observabo. Et ad earundem defensionem opem et operam diligentem impendam.

Declaratio **Cancellarij Ecclesi[ae].**

§ ["et præbendarius præbendæ de Briklesworth": *all MSS. add.*]

Ego, [*N.*] Cancellarius Ecclesiæ Cathedralis Sarum § declaro fidelitatem Ecclesiæ Sarum, Canonicam obedientiam Decano et successoribus suis, et quod consuetudines antiquas et approbatas et Statuta[1] dictæ Ecclesiæ observabo, et ad earundem defensionem opem et operam diligentem impendam, Secreta Capituli, quamdiu sunt secreta celabo.

* p. 5.] * *Declaratio* **Thesaurarij.**

Ego, [*N.*] Thesaurarius Ecclesiæ Cathedralis Sarum, et Præbendarius Præbendæ de Calne, declaro fidelitatem Ecclesiæ Sarum, Canonicam obedientiam Decano et successoribus suis, et quod consuetudines antiquas et

[1] "et Statuta:" *Proc.* and *E.* do not contain these words.

[2] "*Hic inserenda verba sequentia,* obseruabo statutum de contributione pro communibus Ecclesiæ negotiis communiter facienda et statutum de non dimittendi præbendis ad firman nisi prius Licentia Rev. [? Regis] Episcopi Decani et Capituli obtenta et fundationes ordinationes statuta et": *E.* (in a marginal addition, possibly by Bishop Seth Ward).

[3] The clause "quatenus cum Verbo Dei . . . consentiunt" was introduced, probably, about 1573.

[4] "Necnon stipendium uicarii mei, in ecclesia Sar', pro me ministrantis in eadem, [infra mensem, post finem cuiuslibet termini] soluam, vel solui faciam, cum effectu. Sic Deus me adiuuet, et hec sancta Dei euangelia." (*Proc.*, *E.*)

approbatas et Statuta dictæ Ecclesiæ observabo, et ad earundem defensionem opem et operam diligentem impendam, Secreta Capituli, quamdiu sunt secreta, celabo, ac Ornamenta et Thesauros Ecclesiæ bene et fideliter per me seu sufficientem Deputatum meum,[1] pro quo respondere voluero, conservabo, necnon cætera onera mihi, et Dignitati meæ de jure Statuto seu consuetudine hujus Ecclesiæ incumbentia, supportabo et sustinebo.

Declaratio Archidiaconi

Ego, [*N.*] Archidiaconus de [*D.*] in Ecclesiâ Sarum, declaro fidelitatem Ecclesiæ Sarum; et quod jura, libertates, et consuetudines antiquas et approbatas, ac Statuta ejusdem Ecclesiæ Sarum, quatenus dignitatem meam Archidiaconalem concernunt, fideliter observabo; quatenus cum verbo Dei et Statutis hujus regni consentiunt: et ad eorum defensionem opem et operam præstabo.

* *Declaratio* Sub-decani. * p. 6.]

Ego, [*N.*] Sub-decanus Sarum declaro quod Domino Decano et suis successoribus obedientiam, fidelitatem Ecclesiæ Sarum, et quod consuetudines antiquas et laudabiles ejusdem Ecclesiæ et Statuta quatenus me, seu officium meum Sub-decanatûs concernunt observabo quatenus cum Verbo Dei et Statutis hujus Regni consentiunt.

Declaratio Succentoris.

Ego, [*N.*] Succentor Ecclesiæ Cathedralis Sarum declaro quod obedientiam Domino Decano et suis successoribus, fidelitatem Ecclesiæ Sarum et quod consuetudines antiquas ac Statuta ejusdem Ecclesiæ, quatenus me

[1] "Deputatum meum": The Treasurer's Oath, *cir.* 1492, included also the usual engagement of a Canon to pay his Vicar. (See p. 133 *n.* [2].)

seu officium meum Succentoris concernunt, pro posse meo observabo cum effectu quatenus cum Verbo Dei et statutis hujus Regni consentiunt.

[In the Event of Installation by Proxy.]

Declaratio **per Procuratorem.**

Ego, [*A.B.*] Procurator Domini mei [*N.*] in animam Domini mei declaro canonicam obedientiam Decano et suis successoribus, fidelitatem Ecclesiæ prædictæ Sarum, Et quod consuetudines antiquas et approbatas et Statuta dictæ Ecclesiæ observabo[1] et ad earundem defensionem opem et operam diligentem impendam, quatenus cum Verbo Dei, et Statutis huius Regni consentiunt, Et Secreta Capituli, quamdiu sunt secreta, celabit.[2]

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* p. 7.] *The Dean or President of the Chapter will then decree the said [*N.*] to be admitted to the Canonry or Prebend, Dignity or Office, and direct two members of the Cathedral Body to install the said [*N.*] into the stall assigned thereto, with the rights, members, and appurtenances thereunto belonging, "in the name of the Father, and of the Son, and of the Holy Ghost," and to certify to the Chapter then assembled their having so done.

The person to be installed is then to be conducted by the installing persons, going on either side of him, and

[1–2] "(*quod*) *observabo . . . impendam . . . celabit.*"—In this change from the first person singular to the third, there appears to be some confusion of personality in this form, as it stands at present, between the Proxy and the Person whom he is representing. Is it due to the fact that the Proctor, if a stranger, would presumably have no opportunity given him to have cognizance of any secrets of the Chapter on this occasion of his admission to a Chapter-gathering? Presumably, however, the representative, who is deputed and accepted, will be already one who is *de gremio ecclesiae*, and has accordingly made his promise at the time of his own personal admission. The older form has "*obseruabit . . . impendet.*"

preceded by a Verger, into the Choir, who then install him in the manner directed, before the *Te Deum* if in the morning, or before the *Magnificat* if in the afternoon.

The installing persons then return with the person installed to the Chapter, as before, and certify the installation in the following words, pronounced by one of them :—

"I certify that we have installed the Rev[erend *N.*] into the Stall assigned to [the Canonry or Prebend Dignity of . . . or Office of . . . *as the case may be*] with all the rights, members, and appurtenances thereunto belonging, in the name of the Father, and of the Son, and of the Holy Ghost."

* The Dean or other President of the Chapter will then assign the said installed person a Place and Voice in the Chapter of the Cathedral Church of Sarum. * p. 8.]

Then the following Psalms[1] and Prayers are to be said by the Dean or other President of the Chapter and the other members of Chapter present :—

[The Psalm.]

1. Ecce quam bonum et quam jucundum : habitare fratres in unum.

2. Sicut unguentum in capite : quod descendit in barbam, barbam Aaron, quod descendit in oram vestimenti ejus.

3. Sicut ros Hermon : qui descendit in montem Syon.

4. Quoniam illic mandavit Dominus benedictionem : et Vitam usque in seculum.

[Gloria Patri, et Filio : et Spiritui Sancto ;

Sicut erat in principio, et nunc, et semper : et in secula seculorum. Amen.]

[1] The Psalm, *Ecce, quam bonum* (cxxxii. Vulgate = cxxxiii. in the Hebrew, and English, Psalter), is still recited in Latin, as are the other prayers and the Declarations. (*For* "Psalms," *read* "Psalm.")

Tunc recitetur Oratio Dominica.

Pater noster qui es in cœlis, sanctificetur nomen tuum, adveniat regnum tuum, fiat voluntas tua sicut in cœlo sic in terrâ, panem nostrum quotidianum da nobis hodie, et dimitte nobis debita nostra sicut et nos dimittimus debitoribus nostris. Et ne nos inducas in tentationem.

Respondeant astantes.

Sed libera nos a malo. Amen.

* p. 9.] *Tunc dicetur.*

P[*raesidente incipiente*] Ostende, nobis, Domine misericordiam tuam.

R[*espondeant caeteri*]. Et Salutare tuum [1] da nobis.

P. Salvum fac Servum tuum.

R. Deus meus sperantem in te.

P. Mitte ei auxilium de Sancto.

R. Et de Syon tuere eum.

P. Nihil proficiat Inimicus in eo.

R. Et filius Iniquitatis non apponat nocere ei.

P. Esto ei, Domine, turris fortitudinis:

R. A facie Inimici.

P. Domine exaudi orationem meam.

R. Et clamor meus ad te veniat.

P. Dominus vobiscum.

R. Et cum spiritu tuo.

Oremus.

Prætende Domine famulo tuo dexteram tui cœlestis auxilij, ut te toto corde perquirat, et quæ digne postulat

[1] I have ventured to correct "*Salutem tuum*" as a mere misprint in the modern printed form (where, as it stands, it is, of course, a solecism). "*Salutare tuum*" is the ordinary Latin of the Psalter, from Ps. lxxxiv. (= lxxxv.). (See *Breviarium ad Usum Sarum*, i. col. xlii.; ii. cols. 66, 153.) And so, *Processionale*, MS. 148, f. 39ᵇ.

assequatur; per Jesum Christum Dominum nostrum. [Qui tecum vivit et regnat in unitate Spiritus Sancti Deus, per omnia sæcula sæculorum. *Amen.*]

Then the kiss of charity, or welcome, is given, and the Chapter is dissolved.

N.B.—The Oaths of Allegiance and Supremacy[1] *formerly administered*[2] *were abolished by* 31 & 32 *Vict., cap.* 72, *sec.* 9.

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[1] The "*Oathe of Supremacie*" is printed in C. Wordsworth's *Ceremonies*, p. 114, from MS. 148. The Oath of Allegiance also continued to be printed in the Form and Manner of Making Deacons, until *cir.* 1868. See further, J. H. Blunt, *Annotated Common Prayer* (1884), p. 679.

[2] *Note on* the Oaths of Admission, *as found* in earlier MSS. In the Oath as it is written in the *Processional* (MS. 148), the *Chancellor* styles himself also "prebendary of Briklesworth," and undertakes to "read Theology solemnly in the city of Sar., or cause such lectures to be read by sufficient and fitting teachers" at his own proper cost and charges. He swore also (as did all Canons on admission after 1492) to pay his own Vicar in the Church of Salisbury.

The *Treasurer* undertook, in addition, to perform the special obligations of his office or dignity as Treasurer, according to the terms of Bishop T. Langton's "new statute *De Capis.*" (See below, *sub ann.* 1492.)

The *Archdeacon's* Oath is perhaps the first to contain the promise to observe the *Statutes* (as well as the laudable and approved Customs) of the said Church.

The *Subdean* and the *Succentor* used to take their Gospel-oath "to reside continually at the Cathedral Church." This undertaking, however, has been qualified and mitigated by the Decree or Statute of 27th May, 1697, cap. 4. The *Subdean* further undertook to "exercise in person the responsible office of Penitentiary (*onus penitenciarie*)." (See Bishop Mortival's Code, cap. vii. p. 162, below.) This clause in the Cathedral MS. *Processional* (*Ceremonies*, p. 116) was struck out at a subsequent time, probably in 1573.

A.D. 1319.

[CONSTITUTIONES ROGERI DE MORTIVAL EPISCOPI SARUM.][1]

MS. E., *f.* 1 (= p. 13).[2]

* Fol. 1. *ROGERUS[3] permissione diuina Saresbir' Episcopus, ad certitudinem presencium, et memoriam futurorum :—

Licet tam bone memorie OSMUNDUS, ecclesie nostre Sar' olim Episcopus, predecessor noster, et alii successores eiusdem, quam eciam quidam . .[4] Decani qui pro tempore fuerant et Capitulum Sar' dudum ad regendum dictam ecclesiam multa instituerint salubria, illa tamen sicut nec ulla iuris sanccio, quantumcunque sano digesta consilio, ad humane nature adinvenciones et machinaciones inopinatas refrenandas non sufficiunt, nec quicquam adeo clare decernunt, quin ex causis emergentibus quibus iura iam posita mederi non possunt,—Instituta huiusmodi in dubium aliquociens reuocantur, et quibusdam ex illis pridem in dubium reuocatis, aliquibus uero emersis iam causis quibus non est lex posita per ea que sunt, ut premittitur, instituta, necessarium profecto extitit et existit, per declarationem eorundem, aliorumque adiectionem, remedium adhibere, prout possibile fuerit, oportunum.

[1] This document is the only complete formal code of statutes ever compiled for the Cathedral of Sarum. It will be observed that it was drawn up with the joint sanction of the Bishop and the Dean and Chapter; by the latter term designating the *whole* body of Canons. The full manner in which it recognizes the "ancient and approved customs of the Church" (*antiquas consuetudines approbatas*), which to this day every Canon on his installation promises to observe, is also very marked. (*J.*)

[2] The Bishop's copy of the Statutes (which we call "*E.*"), a small folio on parchment $9\frac{3}{4} \times 6\frac{1}{2}$ inches, bound in dark leather, labelled "*Statuta Ecclesie Sarum*" outside the first cover. It was formerly chained, and has the first link of its chain still attached to a hasp at the base of the said cover. It is deposited in the Registry of the Bishop of Salisbury.

CONSTITUTIONS OF ROGER DE MORTIVAL, BISHOP OF SALISBURY.

ROGER, by Divine Permission Bishop of Salisbury, for the instruction of those now living and as a memorial for future generations :—

Whereas both Osmund of blessed memory, formerly Bishop of our Church of Salisbury, our predecessor and others his successors, and also certain . . who had been Deans from time to time, together with the Chapter of Salisbury, have in past days laid down many wholesome statutes for the regulation of the Church, but these, notwithstanding, like every other ordinance of law, drafted though they have been by counsel never so sober, suffice not to restrain the contrivances of human nature and of devices unforeseen, while they have laid down nothing in terms so plain that causes may not arise for which laws hitherto in force are not sufficient to provide a remedy,—and whereas constitutions of this kind are frequently called in question, seeing also that some of them have actually been called in question in times past and that cases have arisen for which no law is provided by the constitutions now existing as is aforesaid; the necessity doubtless has arisen and still arises to apply a seasonable remedy as far as may be possible, by making a plain statement of them, and by issuing some others in addition :

[3] Roger (de) Mortival was consecrated at Canterbury for the Bishopric of Salisbury, September 28th, 1315, and died March 14th, 1330. He had been Dean of Lincoln (in succession to Cardinal Raymond de la Goth) from 1310 to 1315. In that capacity he had attended the important Chapter at Lincoln on Saturday, July 27th, 1314, when St. John (de) Dalderby, Bishop of Lincoln, delivered his Interpretation on the exercise of jurisdiction in cases which had been in dispute between the Dean of Lincoln and the Chapter there. (*Liber Niger*, Lincoln Cathedral Statutes, i. 319-22.)

[4] The scribe of MS. E. puts a pair of dots before such titles as "Decani," "Capitulum" (in the present and similar instances), possibly because he did not find leisure to look up the names of the Dignitaries, etc., in question, or because he intended us to understand that he was transcribing from an original where the names had not been inserted.

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Hec siquidem reuerendi patres Ricardus [Poore], Robertus [Bingham], et Egidius [de Brideport], predecessores nostri Sar' Episcopi, dum viuebant, subsequenter pastorali sollicitudine attendentes super hiis in suis synodis prout expedire videbatur eisdem, per ordinata ab illis remedia, prouiderunt. Et cum nec sic malignancium essent refrenati conatus, nec desides ad debitam diligenciam excitati, bone memorie Symon [de Gandavo] Episcopus, in pastorali officio nos proximo antecedens, quod ipsis episcopis defu[er]it in hac parte, facta congregacione canonicorum suorum, implere pro viribus satagebat; Sed, sortis humane condicio de medio tollens eundem, quod in hac parte inceperat ipsum perficere non permisit.

Absentes sunt vocandi per presidentem et Capitulum: presentes tantum in regno. Al[ias], non.

† f. 1b = p. 14.

Monday, 16 July, 1319.

Nos igitur, ROGERUS, Episcopus, supradictus advertentes, quod sicut eidem Symoni succedimus, in honore sic et in onere succedere debemus, in hiis presertim, que ad Dei et ecclesie honorem ac vtilitatem, idem Symon Episcopus proposuit impleuisse, cum eisdem causis permoti essemus in hac parte quibus et idem Symon Episcopus movebatur, vocatis per Presidentem † et Capitulum, iuxta dicte ecclesie consuetudinem approbatam loci canonicis vniuersis de consuetudine huiusmodi euocandis, videlicet infra regnum Anglie tunc existentibus,—cum de consuetudine predicta extra regnum agentes predictum ad nullum tractatum Capituli Canonici debeant euocari,—et die Lune proxima post festum translationis Sci. Benedicti Abbatis, videlicet xvii. kalend' Augusti, A.º Dn̄i. 1319. Reuerendis viris et discretis dominis et magistris Henrico de la Wyle, Cancellario, domini Decani . . loci vices tunc gerente et commissario speciali,—Petro de Pyriton, et Waltero Hervy, Dorset. et Sar', Archidiaconis; Roberto de Worth, Sub-decano et Canonico Sar'; Georgio de Saluciis, Gilberto Lovel, Roberto de Bluntesdon, Ricardo de Bello, Willelmo de Sco. Johanne, Willelmo de Braybrok, Hugone de Spinet', Willelmo de Mepham, Alexandro de Hemmygby, Nicolao de Wardedien, Ricardo

And whereas after his days the reverend fathers Richard [Poore], Robert [Bingham], and Giles [de Bridport], in their times observed these things in their care for the flock committed to them, they made provision for the same, in their synods by remedies which they devised according to their judgement; And whereas, neither the efforts of persons so evil disposed were restrained thereby, nor were the slothful aroused to due diligence, Symon of Ghent [*de Gandavo*], of blessed memory, our immediate predecessor in our pastoral office, after convening a synod of his Canons, was at great pains to fill up that which was lacking on the part of the Bishops themselves in this behalf, but death removed him from among us and did not suffer him to complete that which he had begun in this matter:

NOW therefore WE, Roger, the Bishop aforesaid, considering that as successor to the said Symon, we ought to be succeeding him in the weighty duties of the office as well as in its dignities, particularly in those matters wherein the said Symon purposed to fill up what was lacking, for the honour of God and benefit of His Church, since we were moved by the same reasons as those by which the said Bishop Symon was moved, after summoning through the President and Chapter, in accordance with the approved custom of the said Church, the whole body of the Canons of the place who claim a summons by custom of this sort, viz. those living at that time within the realm of England—since by custom made known aforetime those living without the aforesaid realm are not to be summoned to any business of the Chapter of Canons —and on the Monday next after the feast of the translation of St. Benedict the Abbot, viz. July 16th, 1319, the reverend and discreet masters Henry de la Wyle, Chancellor, *locum tenens* of the worshipful the Dean, and special Commissary, Peter de Periton and Walter Hervey, Archdeacons of Dorset and Sarum respectively; Robert de Worth, Subdean and Canon of Salisbury; George de Saluciis, Gilbert Level, Robert de Bluntesdon, Richard of Battle, William de St. John, William de Braybroke, Hugo de Spineto, William de Mapham, Alexander de Hemyngesby, Nicolas

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de Haveryngg' Roberto de Winchecombe, et Ysewyno de Gandavo, personaliter; ac Nobis, Rogero Episcopo, prebendario de Poterne, Nicolao de Tyngewyk', Thoma de Cherleton, Ricardo de Abyndone, . .[1] Abbate de Schireborn, Johanne de Wynchelse, Gilberto de Myddletone, Johanne de la Grave, Willelmo de Bromtone, Johanne de Everdon, Ricardo Inge, Nicholao Lambert, Jacobo de Hyspannia, Thoma de Beck, Rogero de Northburgh, et Johanne de Derby, dicte ecclesie nostre Canonicis, per procuratores concanonicos nostros, patentibus literis exhibitis et perlectis, legitime constitutos, comparentibus in hac parte, et dicto die Lune ad plures dies subsequentes, de conueniencium consensu continuato, et tandem ad diem Veneris prox[a] ante festum Apostolorum Symonis et Jude, videlicet xxvi[m] diem mensis Octobris, eo quod prius interesse personaliter congregacioni nequiuimus antedicte de consensu premisso prorogato:—demum Nos, Rogerus episcopus predictus, prefato die * Veneris in Capitulo nostro Sar', cum memoratis canonicis nostris personaliter existentes, tam antiqua dictorum predecessorum nostrorum, quam Decanorum et Capituli instituta fecimus recitari, et volentes illa que in hac parte obscura fuerant declarare,[2] et ea que idem Symon Eps. ex causa premissa efficere non valebat, de consensu dictorum Presidentis et Capituli expresso, et cum eorum adiutorio ex nostro ministerio iam supplere ad laudem et honorem Salvatoris nostri, [a]ipsiusque genetricis gloriose patrone nostre,[b] diuinique cultus augmentum, dicteque ecclesie nostre vtilitatem, vt nostra tenet fiducia manifestam, consensu dictorum Presidentis et Capituli requisito, vt conuenit, primitus et obtento, statuta edidimus infrascripta, et illa, in quibus multa, tam ab ipsis predecessoribus nostris quam eciam . .[1] Decanis et Capitulo predictis fuerunt, ut premittitur, ordinata, que approbamus continentur, sub certis titulis infra scriptis redegimus in hec verba.—

[Friday, 26 Octob., 1319.]

* f. 2 = p. 15.

Nota quod Decani (et Cap. *interlin.*) olim fecerunt statuta.

[a–b], These words were subsequently struck out.

de Wardeden, Richard de Haveryng, Robert de Winchcombe, Eswyn of Ghent, in person ; and ourselves, Roger, Prebendary of Poterne, Nicolas of Tyngwyke, Thomas of Cherleton, Richard of Abyngdon, Abbot of Sherborne, John of Wynchelsey, Gilbert of Middleton, John de la Grave, William Bromtone, John de Everdon, Richard Ynge, Nicolas Lambert, James de Hispania, Thomas de Beek, Roger de Northburgh, John de Darby, Canons of our holy Church by our fellow Canons, our proctors lawfully so constituted by letters patent to that effect produced and read in this behalf, and the session of the aforesaid Monday being adjourned by the consent of the convened for several days in succession, and finally to the Wednesday next before the feast of the Apostles SS. Simon and Jude, viz. the 26th day of October, for that we were unable in person to attend the aforesaid meeting prorogued by previous consent :—WE therefore, Roger, the Bishop aforesaid, being present in person on the aforesaid Wednesday, in our Chapter of Salisbury, together with our Canons aforenamed, caused to be read aloud the ancient statutes of our said predecessors as also of the Dean and Chapter, and desiring to explain whatsoever things had been difficult to understand in this matter, and also to fill up whatsoever the said Bishop Symon for the reason aforesaid was unable to complete, by consent of the said President and Chapter, and with their help in accordance with our office, for the honour of Our Saviour [and of His glorious Mother our patron], and for the increase of divine worship, and for the manifest advantage of our Church, as we believe, the assent of the said President and Chapter having been first asked and obtained, as is meet, we have put forth the statutes written below, and have expressed them in the following words under fixed headings inscribed below, among which statutes many have been ordained by our own predecessors as also by . . the said Deans and Chapter, as aforesaid, all of which we approve without exception.

[1] See note 4 on p. 135.

[2] *Nota*,—quod hæc Rogeri statuta non tollunt vetera, sed explanant et supplent quæcunque deerant. (*By a* XVIIth*-century hand.*)

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De Introitu Canonicorum.[1]

§ I. *De admissione et iuramento Canonicorum.*

Quia propter seruicium datur beneficium, et multi, optento beneficio, de incumbente seruicio, quod dolentes dicimus, parum curant, ac ferendus non existit qui lucrum amplectens onus subire recusat, statuimus de consensu expresso presidentis et Capituli predictorum, quod cum is cui de canonicatu et certa prebenda in nostra Sar' ecclesia, quacunque auctoritate, contigerit prouideri, veniens personaliter ad eandem petat sibi stallum in choro et locum in Capitulo, que collate sibi prebende conueniunt[2] assignari, ne super statutis seu incumbentibus sibi in hac parte seruiciis et oneribus possit ex tunc in toto ignoranciam quouis tempore allegare, Presidens, qui eum fuerit admissurus inter cetera que sibi imminent pretextu talis beneficii obseruanda saltem residencie sue tempus, quo iuxta moderationem prescriptam fuerit in ipsa ecclesia Deo [a]et gloriose Virgini patrone nostre[b] pro beneficio huiusmodi singulis annis seruiturus, et ea que circa non residentis penam, defectuum in prebendis reparacionem, tradicionem ipsarum ad firmam, et contribucionem pro iuribus et libertatibus ecclesie defensandis † salubriter sunt statuta, illa curet exponere diligenter, et, recepto ab eo solito iuramento, stallum in choro et locum sibi in capitulo assignet, que huiusmodi beneficio conueniunt faciendo, eum induci iuxta morem in possessionem collate sibi prebende, ad quam sic admittitur, corporalem.

Canonicus tenetur petere stallum.

Ignorancia non est alleganda.

[a–b], *These words have been struck out.*

† f. 2[b] = p. 16.

Assignacio stalli, et loci in Capitulo.

Quod si forte procuratorem ad hoc duxerit destinandum, idem procurator, expositis sibi premissis, simile prestet ipsius nomine iuramentum, per eundem canonicum

Canonicus admissus per procuratorem dt no9 (? nihilominus) personaliter admitti.

[1] "*De Introitu Canonicorum.*" This title of the first portion of the Code of 1319–24 is found in the original "*Tabula precedencium*," or table of contents in MS. E., f. 30[b], where also ch. ix. is described as "*De Rebus Ecclesie conservandis.*"

[2] "consueuerunt": *Dayman and Jones.*

[3] This, and other like marks for deletion, were probably made in

The Canon's First Coming in.

§ I. *Of the admission and oath of Canons.*

Since it is for the sake of its duties that a benefice is conferred, and many (we say it with pain) after receiving a benefice care little for the performance of the duties laid on them by it, and since the man who grasps at the gain and shrinks from the burden ought not to be tolerated, We ordain (with the express assent of the President and Chapter aforesaid, to whose lot it shall fall to be endued with any authority whatsoever in respect of a canonry and particular prebend in our cathedral Church of Sarum, shall come in person and demand for himself that stall in the choir and that place in the Chapter which are properly assigned to the prebend conferred upon him—in order that thereafter he may not at any time be able to profess complete ignorance of the statutes, or the duties and burdens laid on him in this matter, the President who is to admit him, among all the other duties which lie upon the candidate for due observance on the ground of such preferment, shall be at pains to expound to him with care at least the time of his residence during which in accordance with the prescribed regulation he shall serve God [" and the glorious Virgin, our patroness," *struck out*] [3] year by year in return for this preferment: likewise such rules as have been wholesomely ordained as to the penalties for non-residence, the repair of defects in prebends, the letting of them to farm, and the levy for the defence of the rights and liberties of the Church; and after taking from him the customary oath, he shall assign to him the stall in the choir and the place in the Chapter which belong to his benefice—causing him to be inducted in the customary manner into personal possession of the prebend which is conferred upon him.

But if it so happen that he sends a proxy appointed for this purpose, the said proxy, after showing his authority, shall take, in the Canon's name, a similar oath, which must nevertheless be repeated anew in its

the time of Bishop Gheast and Dean J. Piers, after the Chapter-meeting of 17th October, 1573. (See Jones, *Fasti*, p. 321; Wordsworth, *Salisbury Ceremonies*, p. 138.)

A.D. 1319. cum personaliter uenerit in singulis suis articulis nihilominus innovandum.

Quod quidem iuramentum prius quandocunque prestitum et deinceps prestandum ita debere intelligi declaramus, vt qui ita iurat, ea que in illo continentur iuramento quam cicius commode poterit addiscat, et cum ipsa didicerit illa obseruare a proposito non contempnat.

Nota effectum iuramenti.

Ab expectantibus vero prebendas in ipsa ecclesia vacaturas, hec dum sic expectantes fuerint intelligimus non seruanda, cum de consuetudine in ipsa ecclesia nec iurare debeant, nec stallum aut locum huiusmodi obtinere, donec certas et tunc vacantes prebendas habeant in eadem.

Nota quomoda (*sic*) Statuta Osmundi non ligant quasi ista statuta.

Ad hec, volentes plus sapere quam oportet quidam curiosi, vt accepimus, per facti ignoranciam, que fallit frequenter peritos, asserere presumunt minus veraciter et tenere, Canonicos ecclesie nostre Sar' ex vinculo iuramenti quod in dicta prestant ecclesia cum stallum in choro et locum in capitulo sibi primum optinent assignari ad omnia, vel saltem aliqua, que in libro institucionis beati Osmundi predecessoris nostri scripta poterunt reperiri. Nos autem super iuramento huiusmodi et eius viribus, tam per diuersos dicte ecclesie codices et ea que et Nos, stallum huiusmodi atque locum alias assecuti, fecimus in hac parte, quam et eciam alia que nos mouent racionabiliter et inducunt, super hiis plenius informati de consensu expresso presidentis et Capituli, predictorum sufficienti deliberatione prehabita cum eisdem, luculentius declaramus, quod ijdem Canonici non ad contenta vel scripta in libro predicto, sed ad conseruacionem antiquarum dicte ecclesie consuetudinum, quatenus iuxta varietatem rerum, causarum et temporum, per subsequentia statuta, vel consuetudines aut earum

several articles by the same Canon when he appears in person.

And we declare that this oath, at whatsoever time hereafter taken, or hereafter to be taken on each several occasion, ought so to be understood, that he who takes it shall fully learn, so soon as he conveniently can, those duties which are comprised in the oath, and that when he has learnt them, he shall take heed to observe them carefully.

We understand meanwhile that these [statutes] need not be observed by those who are waiting for prebends to fall vacant in the said Church as long as they are waiting, inasmuch as in accordance with the custom of the said Church they are not obliged to take the oath nor to hold a stall or a place of this kind until they possess definite prebends then actually vacant in the same.

Further, as we have heard, certain meddlesome persons, desiring to be wiser than they should, through ignorance of the true facts—and ignorance often causes even experienced men to go astray,—have taken on themselves, regardless of the truth, to say that such was the case, and to bind the Canons of our Church at Salisbury (in accordance with the strict terms of the oath which they take in the said Church at the time when they first apply to have a stall in the choir and a place in the Chapter assigned to them) to all, or at least some, of the articles which are to be found written in the book of the Institution of the blessed Osmund our predecessor. We, however, being more fully informed than these persons are, with respect to this oath and to the force thereof, as well by divers volumes belonging to the said Church, and by what we ourselves did besides, when we once obtained such a stall and place, in this behalf, as also by other considerations which move and influence us in accordance with reason, by express consent of the President and Chapter, after due deliberation had with the same, declare more clearly that the same Canons are bound by the terms of the said oath not to all things contained or written in the book aforesaid, but only to the preservation of the ancient customs of the said Church, so far as is in consequence of changes in circumstances, times, and causes, they have not been revoked by subsequent

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non vsum, revocata non sunt, ex vinculo dicti iuramenti tantummodo astringuntur. Cujus * iuramenti tenorem in antiquis codicibus conscriptum, etiam ad maiorem ipsius euidenciam presentibus inseri fecimus, qui sequitur in hec verba ;—"Admissus canonicus per Decanum Sar', vel eius locum tenentem, iurabit quod erit obediens Decano, fidelis ecclesie, et quod antiquas consuetudines approbatas eiusdem ecclesie observabit,[1] et quod opem et operam prestabit pro iuribus ecclesie defensandis, et quod secreta Capituli celabit quamdiu sunt secreta."[2]

* fol. 3 = p. 17.

Jura-mentum Canoni-corum antiquum.

§ II. *De introitu Canonicorum.*

In pascendis Canonicis quosdam nouiter uenientes in primo suo introitu institucionem felicis recordacionis Osmundi in tantum inuenimus priscis temporibus motu proprio nimisque voluntario excessisse, quod postquam domos compararunt et excessus fecerant predictos, longi temporis victum hora brevi taliter consumente, qui residere proponebant abesse necessario compelluntur. ¶ Proinde super hiis remedium providere affectantes, ordinamus, vt cum absque reprehensionis nota alterum in dicto statuto contentorum faciendo possit Canonicus a tali incumbente onere, si voluerit, liberari, si fratres elegerit procurare, in apponendis sumptibus circa illos, prebende sue verum valorem aliqualiter non excedat. ¶ Contrauenientes uero, xl. solidos sterlingorum ad fabricam ecclesie nostre Sar' presentis constitucionis auctoritate persoluere teneantur, nisi forte illorum personis, statu et dignitate intime ponderatis, super tali

Istud statutum tollitur per ["pape" *erased*][3] priuilegium, vt in bulla sua. [1442]. (Some one has written "*nimisque*," from line 4 of the text, above the erasure.)

Ista pena hodie est sublata, vt prius.

[1] The oath of 1091 is "Se dignitates et consuetudines Sar' ecclesie inviolabiliter observaturum." (See p. 28, above. See also pp. 127–8.)

[2] In the margin is written the old direction or suggestion: "*Adde statutum Willielmi episcopi pro salario vicarii.*" [W. Ayscough, 1438–50.] (Cf. p. 128 *n.*)

[3] The marginal note in a xvth-century hand refers, doubtless, to a bull of Eugenius V., 28th July, 1442, confirming a Salisbury statute of 1428–9. (See below.)

statutes or customs. The tenor of this oath written at large in ancient volumes we have now caused to be inserted in the present [statutes] for the sake of greater clearness. It follows in these words: "On admission by the Dean or his deputy, the Canon shall swear that he will be obedient to the Dean, faithful to the Church, and will observe the ancient and approved customs § of the said Church, and that he will give assistance and labour to the defence of the rights of the Church, and that he will guard the secrets of the Chapter so long as they remain secrets."

§ [The Canons, in 1319, had not as yet begun to promise to observe 'Statutes' (cf. p. 128 above), but only 'Customs,' no Code having been accepted before this of 1319–24.]

§ II. *Of the entrance of Canons.*

In the matter of Canons' Feedings,[3] We have found that certain new comers have in times past, at their first entrance, gone so far beyond the Institution of Osmund of blessed memory of their own accord, and only too readily, that after they have acquired houses, and had made this excessive outlay, the provision calculated to suffice for many days has been swallowed up in one short hour, and those who were preparing to keep residence are of necessity compelled to keep away.

We, therefore, being earnestly desirous to provide a remedy for these abuses, do ordain that while a Canon, if he wishes to be set free from such an expense, can, by adopting the other alternative of those contained in the said statute, be freed from such an expensive burden without any fault being found with him; nevertheless, if he shall choose to entertain his brethren in going to expense on their behalf, let him not exceed in any way the true value of his prebend. Let those who transgress it be required to pay 40 shillings to the fabric fund of our Church of Salisbury, in virtue of the authority of this present constitution, unless it be the case that, after the persons, the estate, and dignity of such Canons have been carefully taken into account, they have first obtained

[3] *Pastus canonicorum:* the term "Feedings" is still remembered at Lincoln as describing the banquets or entertainments which down to modern times were wont to be incumbent on a Canon or Dignitary on his first entrance upon residence. (*Linc. Cathedral Statutes*, ii. p. ccxxxii.; i. p. 74; iii. p. 937 (index) *s.v.* "Pastus," "pascere.")

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§ III. *De habitu Canonicorum.*

Et[1] si regem debeamus, iuxta doctrinam[2] apostolorum principis, honorare, illius precipue obtemperare debemus votis, a cuius progenitoribus honores dignitates et beneficia recepimus nonnulla, et a quo speramus recipere ampliora. ¶ Proinde excellentissimo principe domino nostro Edwardo,“ Dei gratia nunc Rege Anglie illustri, cuius auus clare memorie, videlicet Rex Henricus (filius Regis Johannis), qui in fundamento ecclesie nostre Sar' primum lapidem † collocauit, eam multis libertatibus privilegiis et honoribus decoribus decorando, quas etiam celebris memorie dominus Edwardus Rex filius eius cum adiectione regalis munificencie confirmauit, Nos et Capitulum nostrum rogante instanter, vt sub exprimendo ad hoc tempore per eundem, tam in delacione almuciarum quam eciam illorum decantacione canticorum Virginis gloriose et illius qui Domini genuerat precursorem, *Magnificat* videlicet et *Benedictus*, que in euangelio plenius conscribuntur, ecclesie nostre Sar' Canonici aliarum ecclesiarum sui regni Canonicis sub regii fauoris munere sint conformes,—de consensu Presidentis et Capituli predictorum expresso, statuimus ut in dicte expressionis eventu almucias[3] de minuto vario interius et exterius

“ [“ 2do ” *interlin.*]

† f. 3b = p. 18.

Henricus secundus posuit primum lapidem in fundamento ecclesie.

Edwardus contulit licentiam vtendi almucijs de grisio.

[1] “Quod”: *Dayman and Jones.*

[2] 1 Petr. ii. 17.

[3] The *almucia* (*almuce* or *amesse*) was a cape or tippet of fur, the points of which came down in front. (See Rock's *Church of our Fathers* (edd. Hart and Frere, 1903), ii. 43, 47–50, 71, 72.) “*De minuto vario*: of miniver, wherewith the Canons' amesses were lined or furred. *Varium*: vair, an expensive fur, perhaps ermine” (Trice Martin). “*De minuto vario*,” with which they were to be lined internally, means fur of inferior texture and colour; being grey instead of pure white with black spots, but of a kindred species, namely, of a weasel, but of a different age and different climate. Ducange gives one example in which the word *grisis* is used for a grey weasel, and he gives *griseum* as meaning grey fur. In French *gris* is used both as a substantive

special permission from the President and Chapter for exceeding the limit in the manner described.

§ III. *Of the dress (or habit) of the Canons.*

Although we are bound to honour the King according to the teaching of the chiefest of the Apostles, we ought above all to obey the wishes of that monarch from whose forefathers we have received honours and divers offices, dignities, and benefices, and from whom we hope to receive still larger favours. Therefore at earnest request to us and our Chapter made by the most exalted prince our Lord King Edward [the second], by the grace of God now sovereign lord of England, whose grandfather of famous memory, viz. King Henry, son of King John, who at the foundation of our Church of Salisbury laid the first stone, adorning it with many liberties, privileges, and fair honours, which liberties his son, King Edward of famous memory confirmed by the addition of his royal bounty,—that within a limit of time set us by his Majesty, the Canons of our Church of Salisbury should be made like those Canons of other Churches of this realm who are in the enjoyment of his royal favour, as well as in the wearing of almuces as in the chanting of the hymns of the glorious Virgin and of him who was the father of the Lord's forerunner, (*i.e. Magnificat* and *Benedictus*) which are written out at length in the Gospel. Therefore with the consent of the President and Chapter aforesaid, we do expressly ordain in the event of the said expression [of the royal command], the Dignitaries and Canons to wit of our Church aforesaid should put on and always wear in the said Church almuces of ermine on the

and an adjective, in the one meaning a *weasel*, and the other *grey*. (See *Regist. Mortival Ep.*, ii. 220; *Fasti Sarisb.*, 254–5, 266, 277.) The fur of the ermine is described as being white with black spots, and hence in mediæval Latin termed "*varius*," whence "*vair*" in heraldic language (*Jones*). But, as Mr. J. Hodgkin explains in *N. & Q.*, 1912, N.S., pp. 170, 171, *vair* is the squirrel's whole skin, grey on the back and white below. Miniver (*minutum varium*) is distinguished from vair by being *diminished* by the removal of the grey back from the complete skin, or *gros vair* (*grosso vario*). This leaves the white belly of the squirrel as it is

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de griseo Persone et Canonici duntaxat ecclesie nostre predicte assumant, et gerant perpetuo in eadem. Ac Canonici ipsi similiter et vicarii qui pro tempore fuerint, ad honorem illius qui Deus est et Homo, Trinus etiam in Personis, saltem in omnibus festis duplicibus, diebus dominicis, commemoracionibus beate Virginis, aliisque festis cum regimine chori, et in magnatum presencia, vt eorum deuotio ad diuinum audiendum officium amplius excitetur, sub nota decantent duplici seu triplici, prout ipsis ab alto inspiratum, cantica supradicta, statuto, seu vsu auctoritate illi simili, qua et Nos fungimur in presenti, prius edito, vel in nostram ecclesiam introducto, que non mutare sed in melius augere intendimus, non obstante; nec debet reprehensibile iudicari, si secundum varietatem temporum statuta quedam varientur humana, cum incommutabilis ipse Deus, ex hiis que in veteri testamento statuerat, nonnulla mutauit in nouo. Et Nos, eadem auctoritate fungentes qua et predecessores nostri Sar' Episcopi antea fungebantur, per huiusmodi augmentum speramus euidentem vtilitatem ecclesie nostre procurare.

De variacione statutorum.

Et quia ex capitis et colli nudacione priscis temporibus, ac eciam in presenti, nonnullis personis ecclesiasticis, quibus non absque dampno grauiori ob hoc caruit ecclesia, infirmitates et pericula nouimus provenisse, * vt ministris ecclesie nostre vita et sanitas diucius conseruetur ad Dei [a]et beate Virginis[b] obsequium competencius persoluendum; Statuimus quod sine reprehensionis nota Persone et Canonici in ecclesia nostra celebrantes sub amictu[1] lineo almuciis suis libere cum voluerint uti possint, quibus et protegant nuda colla et etiam cum alias quandocunque cantaverint aut legerint in eadem;

* f. 4 = p. 19.

[a–b]. (*These words have been struck out.*)

in winter, with just a little of the grey colour left at the edges, more or less, the grey back being removed. It took from twenty-four to forty to make a proper hood of minever in 1327. *Gris* (griseus, griseum) is as Mr. Hodgkin tells us, the (*grey*) back of the squirrel taken in winter when the fur is at its prime, and is of a grey colour. (See § xxx., below.)

inner side and grey fur on the outer. And likewise that the Canons themselves and the Vicars for the time being, for the honour of Him Who is "God and Man," "Threefold in Person," at least at all double feasts, Sundays, commemorations of the Blessed Virgin, and other feasts with rulers of the choir, and in the presence of personages of eminence, in order that their devotion may be more fully stirred to hear divine Service, should chant the songs of praise aforesaid on a double or triple note as comes to them by inspiration from on high, any statute or use, by authority like to that which we too exercise at present, whether heretofore promulged, or introduced into our Church, notwithstanding: seeing that we purpose not to make changes, but to enlarge for the better. And yet it should not be thought blameworthy, if in accordance with the change of times certain ordinances of man should be varied, when God, Who changeth not, has Himself in the New Testament changed some ordinances which He had established in the Old. So We, exercising that same authority which the Bishops of Salisbury before were wont to exercise, do hope by granting such permission to secure the evident advantage of our Church.

And since we know that from the baring of the head and neck sicknesses and perils have in times past, and at the present day, come upon certain ecclesiastical persons, whom the Church has lost from this cause, not without grievous hurt, We do ordain (in order that life and health may be the longer preserved to the ministers of our Church for the fuller payment of homage to God [and the Blessed Virgin]) that Dignitaries and Canons may without censure freely at their pleasure wear their almuces underneath the linen amice with which to cover their bare necks, when they are celebrating [the Holy Mysteries] in our Church, and also whenever else they chant or read in the same. Of these items and others

[1] *Amictu.* The amice is part of the Eucharistic vesture and consists of a square piece of linen, placed first on the head and then allowed to fall on the neck of the person wearing it. It must be distinguished from the *almucia*, or choral furred "amess," mentioned in the note on p. 146, and here allowed to be worn also under the linen amice.

A.D. 1319. de quibus, et aliis habitum suum facientibus, disponant libere cum sibi placuerit quandocunque. Consuetudine qua habitum huiusmodi vicarii dicti loci asserunt necessario sibi deberi, (quam corruptelam vtique reputamus, cum iidem Vicarii certa a dominis suis stipendia pro indumentis percipiant,) in aliquo non obstante. ¶ Per hoc tamen nullum Canonicorum intendimus coartare quin habitum huiusmodi possit, cum voluerit, vicario suo bene merito, de sua speciali gracia assignare, Dum tamen idem vicarius hoc sibi de liberali gracia factum esse, et non ex debito, in Capitulo recognoscat.

Hic de illa corruptela vicariorum qui petunt habitum sui magistri post mortem.

Nota recognicionem in Capitulo.

§ IV. *De contribucione pro communibus ecclesie negociis communiter facienda.*

Licet illos in communi sequi debeant onera qui et emolumenta sunt communiter assecuti, absurdum tamen in ecclesia nostra Sar' visum est alioquociens et iniquum, vt cum quidam Canonici in ecclesia minime residentes et de prebendis suis non minus precipientes, a tractatibus, laboribus in ecclesia, et aliis que residentibus incumbunt oneribus, alieni fuerint et inexpertes; illi tamen qui residendo pondus diei portant et estus, plenius vt est dictum ea que ad mensam illorum a dicta debent ecclesia prouenire, in faciendis alias sumptibus circa lites et negocia ipsius ecclesie, ac pro eisdem iuribus et libertatibus defensandis, sibi subtrahere compelluntur, vel iura et libertates huiusmodi, quod absit, derelinquere indefensa. Cum igitur quod omnes tangit debeat ab omnibus approbari, reprehensibileque videatur, et omni contrarium racioni, vt vnus esuriat, alius inebrietur, vnusque cum corporali labore sua effundat, et alius

Bone cause.

[S. Matt. xx. 12.]

[1 Cor. xi. 21.]

which constitute their [canonical] habit they may dispose freely as they please at any time soever: and this, notwithstanding, in any case that custom by which the Vicars of the said place claim that this dress must necessarily become their property; for we regard it as a corrupt one in all cases, seeing that the said Vicars receive from their masters fixed stipends in lieu of robes. Notwithstanding this, we do not purpose to prevent any of the Canons from being able of his special favour to grant a dress of this kind, whensoever it shall please him, to his Vicar if he has deserved it by his services, provided always that the Vicar aforesaid acknowledges in Chapter that it is granted him by favour and not as a matter of right.

§ IV. *Of the Contribution to be levied on the Canons generally for the common interests of the Church.*

Although we ought to bear burdens in common, if they have obtained corresponding emoluments in common, yet it has at divers times appeared unreasonable and unjust in our Church of Salisbury that while certain Canons, who keep no sort of residence in the Church and yet enjoy from their prebends no less an income, should have held aloof and should have taken no share in those meetings, labours, duties, and other burdens in the Cathedral Church which fall upon Resident Canons: those on the other hand who, by residence, bear the burden and heat of the day, are compelled, in expending sums on other objects in connexion with law-suits and the business of the Church itself, and for the defence of these same rights and liberties, to withdraw from themselves more fully, as has been said, those sums which ought to accrue to them for their table from the said Church, or (which God forbid!) to leave such rights and liberties undefended. But seeing that what touches all ought to be approved by all, and that it seems blameworthy and contrary to all sense that one should be hungry and another drunken, and that one should freely expend his substance in addition to the labour of his body, while

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† f. 4b = p. 20.

quiescendo sua congreget retinenda, cum omnes Canonici dicte ecclesie ad subeunda † onera supradicta equaliter teneantur, de consensu et voluntate expressis omnium et singulorum, vt est dictum supra, congregatorum, tam suo nomine quam eorum quorum fuerint procuratores, expressius adhibito,—Ordinamus et Statuimus, ut quociens et quando tales vel consimiles necessitates ecclesie immineant supradicte, tociens corporibus prebendarum quarumcunque ad dictam ecclesiam spectantium, absque alia exnunc vocatione ad hoc quouis tempore facienda per Presidentem et illos qui presentes tunc fuerint in ecclesia Canonicos eorum arbitrio ad hoc tallie et quote imponantur efficaciter et leuentur per censuras et penas quaslibet competentes: quodque omnes et singuli prebendas in dicta ecclesia iam habentes, et in posterum habituri, ad horum omnium obseruacionem firmius teneantur sub eo iuramenti vinculo, quo de obseruandis ipsius ecclesie consuetudinibus approbatis installati Canonici iam tenentur: et sic fiant licet, non in laboribus, tamen in prestacionibus, residentes nonresidentibus, et e contra Canonici Canonicis, deinceps coequales. Nec possunt absentes Canonici ad sui excusationem in contribucionem huiusmodi racionabiliter allegare, contra, vt premittitur, residentes, quod ad illos presentes, preter corpora prebendarum suarum, omnia bona communia proueniunt ecclesie supradicte, cum sicut experiencia, optima rerum magistra, nos plenius informauit, dum in statu minori fuimus inter ipsos personaliter residentes,[1] etiamsi omnia sint eis pacifica et quieta, longe plura racione residencie sue oporteat eos effundere, quam de suis titulis in ecclesia aut bonis huiusmodi communibus sibi valeant prouenire; que incredulos, si qui fuerint, in hac parte affectamus per faciendam cum illis in dicta ecclesia residenciam personalem actualiter experiri.

Nota quod sine vocacione aliqua possunt imponi tallie et quote corporibus prebendarum per canonicos presentes.

Nota, canonicum ex vinculo juramenti astringi ad contribuciones.

Nota pro consuetudine obseruanda.

[Erasmus, *Adag.*, cites Lucretius, *De Rerum Natura*, v. 1449.]

[1] Bishop Roger de Mortival held the prebend of Netheravon in 1297, and held the deanery of Lincoln from 1310 till he became Bishop of Sarum, Sept. 28th, 1315 (p. 134 *n.*). Having been a resident himself, the Bishop argues that it is just that residents should receive what they

another, by sitting still, should heap up his emoluments to be kept for his private use, though all the Canons of the said Church are equally bound to take on themselves the burdens aforesaid, after the expressly pronounced assent and consent of all and singular convened, in the manner aforesaid, as well in their own name as in that (more expressly given) of those whose proxies they were. We ordain and decree that as often as, and whenever, such or similar needs overhang the Church aforesaid, so often, without other summons being then made for the purpose at any time, contributions and assessments may effectually be imposed and levied (on pain of sufficient censures and penalties) by the President and Canons then present with him in the Church by their will on the estates of all prebends whatsoever pertaining to the said Church, and that all and singular already holding or hereafter destined to hold prebends in the said Church be more securely held to the observance of all these statutes under the bond of oath by which Canons when installed are already bound as regards observing the approved customs of the said Church; and thus, if not in labours, at least in liabilities, non-residents may lawfully be put on the same footing with residents, and all Canons one with another. Absent Canons cannot, by way of excusing themselves, when withstanding such a contribution, reasonably allege against resident Canons (as aforesaid) that, excepting the estates of their prebends, all goods of the Church aforesaid accrue in common to those present, seeing that, as experience, the best mistress of business, has taught us, while occupying a lesser dignity among those resident in person, that even though all their property was held in peaceful possession, they are compelled (by reason of residence) to spend much more than they are able to acquire for themselves from their titles in the Church, or from common property of this kind ; and we recommend such as disbelieve it, if there be any such, to make actual test of this matter, by undertaking residence in person with them in the said

do, and that non-residents should be taxed. Let non-residents try the experiment of keeping personal residence.

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Nota modum leuandi taxã extra dioces'.

Verum si illis temporibus quibus huiusmodi prebendis quote seu tallie taliter imponentur contingant nihilominus illis prebendis, que extra nostram dioc'[1] consistunt, per locorum ordinarios similia vel alia onera extraordinaria fortassis imponi: ne ipsarum prebendarii duplici tunc onere pregraventur, volumus quod tantum possint de prestacione interius facienda licite retinere, quantum ipsos necessario soluere per imposita extrinseca, vt premittitur * oportebit.

* f. 5 = p. 21.

§ V. *De non admittendis ad tractatus Capituli qui nondum sunt assecuti corpora Prebendarum.*

Istud capitulum non habetur in vsu, eo quod non currit prouisio in Anglia.[2] Nota: contra archidiaconos, qui non habent corpora prebendarum.

Licet certe quedam persone, stalla in choro habentes, in habitu chori Capitulum ingrediantur pro horis certis in festis duplicibus complendis, antiqua tamen consuetudo hactenus indubitata ad tractatus Capituli non permittit quempiam, pro quovis statu quem habuerit in ecclesia, admitti vel Capitulum in tractatibus huiusmodi ingredi, nec quicquam de communa percipere, nisi ut canonicus prebendam habeat in eadem. Quam quidem consuetudinem volumus et precipimus in perpetuum obseruari.[3]

§ VI. *De residencia Canonicorum.*

Nota quomodo Decanus et Capitulum fecerunt statuta, episcopo non presente.

Nota quod quatuor persone tenentur assidue residere.

De residencia Canonicorum in ecclesia nostra Sar' facienda per Ricardum, quondam Decanum, et Capitulum Sar' sub anno 1214, inuenimus sic statutum;—"Super residencia Canonicorum facienda ita prouisum est, quod quarta pars Canonicorum per totum terminum statutum assiduam annuatim faciant residenciam, una cum quatuor personis ecclesie, qui per institucionem supradicti Osmundi[3] assiduam tenentur facere residenciam, exceptis illis Canonicis qui per Regem, Archiepiscopum, et Episcopum sunt exempti ¶ Si quis vero statutis terminis suam non poterit facere residenciam, quintam porcionem prebende sue, secundum ipsius valorem et rectam estimationem, residentibus, vel ad alios vsus secundum consilium Decani ecclesie necessarios, absque omni contradictione prestabit."

[1] The prebends in other dioceses were Bricklesworth, in the county of Northampton; Grantham, in that of Lincoln; Horton, Bitton, and Torleton, in Gloucestershire; Shipton in Oxfordshire; and Teinton Regis in Devon.

[2] (*Margin.*) The Statute of Provisors was passed in 1351.

[3] The *Nova Constitutio* of 1214 is here quoted inexactly. (See p. 42.)

Church. But if at the times when assessments and contributions are thus imposed on prebends of this kind, there happen, notwithstanding, to be imposed on such prebends as are situated outside our diocese similar or other extraordinary burdens by the ordinaries of the respective places; in order that the prebendaries of the same may not then be overweighted by the double burden, we will that they be empowered lawfully to deduct from the liability imposed within so much as they shall be under obligation to pay in respect of the levy imposed from without, as aforesaid.

§ V. *Of not admitting to the Chapter meeting any save those who may be possessed of district Prebends.*

Whereas certain Dignitaries, holding stalls in the choir, enter the Chapter in choir vestments for the observance of certain Hours at double feasts, ancient custom, not disputed hitherto, permits no one in consideration of any dignity he may hold in the Church to attend Chapter meetings or even to enter the Chapter at any discussions of this sort, nor to receive anything from the common fund, unless as Canon he hold a prebend in the same. We will and enjoin that this custom be for ever duly observed.

§ VI. *Of the Residence of Canons.*

Of the residence of Canons in our Church of Salisbury required by Richard, formerly Dean, and the Chapter of Salisbury, in the year 1214, we find it thus decreed:—"In the matter of residence required of Canons it has thus been provided, that a fourth part of the Canons shall keep regular residence every year throughout their statutory period, together with the four dignitaries of the Church, who by the institution of the said Osmund are bound to keep regular residence, except the Canons who have been relieved [of this duty] by the King, the Archbishop, or the Bishop; but if any be unable to keep his residence within the statutory periods, he shall (any allegation to the contrary notwithstanding) pay to those in residence a fifth portion of his prebend according to its value and just assessment, or shall grant it for other uses as by the Dean of the Church may be advised."

A.D. 1319. Moderamen quoque tam personarum quam temporum, prout est ex aliis collectum scripturis, dinoscitur esse tale.

Ex parte Decani,[1] a kalendis Octobris usque ad kalendas Januarii, residere tenentur annis singulis Canonici infrascripti, videlicet,

de Potterne,
Chermynistr',
Heyghtredebur',
Okeburne, } *Sacerdotes;*

de Thorleton,
Beymenistr' secunda,
Grimstan,
Aulton Pancracii, } *Diaconi;*

de Cherdestok',
[et] Lym, } *Subdiaconi.*

Et pro eodem tempore ex parte Cantoris Canonici infrascripti, videlicet

de Teynton,
Calne,
Bedewynde, } *Sacerdotes;*
de Rotefen, *Diaconus;*
de Farendon, *Subdiaconus.*

† f. 5ᵇ = p. 22. † Item, ex parte Decani, a kalendis Januarii usque ad kalendas Aprilis,

de Graham,
[et] Blebur', } *Sacerdotes;*
de Beymenystr' prima,
[et de] Beymenystr' Ecclesie, } *Diaconi;*
de Roscampe, *Subdiaconus;*

Et pro eodem tempore, ex parte Cantoris,

de Graham,
Schuptone,
[et] Worth,[2] } *Sacerdotes;*
de Husseburne,
Durneford, } *Diaconi;*
de Combe,
Harnham,
Minore parte Altaris,
Axeford, } *Subdiaconi.*

[1] Besides this most usual division of the choir into two parts—the Dean's side (*Decani*) and the Chanter's side (*Cantoris*), we find a supplementary division into *quarters*, particularly in the case of the Vicars Choral, who in 1442 were classed as being respectively "*ex quarterio Decani*," "*ex quarterio Cantoris*," "*ex quarterio Cancellarii*," or "*ex quarterio Thesaurarii.*" (Reg. Hutchins.)

[2] "Worth," *i.e.* Highworth, east of Cricklade.

The rota of persons and the times [of their residence],[3] as it has been gathered from other documents, is recognised as being arranged as follows (see p. 159, below):—

[3] It seems reasonable to suppose that the Rota for Quarterly Residence of Canons throughout the year (see p. 159) was drawn up originally in accordance with the Order of seats in Choir (see pp. 116, 117), and that the four quarters of residence were assigned respectively to the *Quatuor Personae Principales*. The residentiary year begins with the month of October. We should expect to find that the priest-canons, deacon-canons and subdeacon-canons who were called to reside in any specific quarter of the year would be precisely those who had their stalls (and whose predecessors had had *places* in the earliest days of all, before the benches were divided up into stalls with elbows) in the same *quarterium* (see p. 156, *n.*), under the supervision of the *Persona* (Dean, Precentor, Chancellor or Treasurer), who was responsible for three months' residence at the same specific time of year as themselves. If such, however, were originally the arrangement, it must, I think, have been virtually abandoned by the time that Bishop Roger de Mortival drew up his Code in 1329, and, as his words imply, even before he became Prebendary of Netheravon under Bishop Symon of Ghent in 1298 and became acquainted with the records and traditions of the Chapter.

Under his Code the number of Canons resident in their prebendal turn in each quarter was as follows:—

Quarter.	Beginning.	Number of Canons responsible for three months.
II.	1st Oct.	7 Priests + 5 Deacons + 3 Subdeacons = Total 15.
II.	1st Jan.	5 Priests + 4 Deacons + 4 Subdeacons = Total 13.
III.	1st April	6 Priests + 4 Deacons + 2 Subdeacons = Total 12.
IV.	1st July	4 Priests + 5 Deacons + 3 Subdeacons = Total 12.

This arrangement required that every one of the fifty-two prebendaries should reside for three months yearly in person or by his Vicar as deputy. Lack of space prevents us from tracing here the intermediate historical process, to which various causes contributed. Some of the changes may be traced in subsequent pages of this volume and in Rich Jones' *Fasti*. The arrangement for residence according to houses of residence at the present day (1914) is:—

Quarter.	Beginning.	House in Close.	Residentiary Canon.
I.	1st Oct.	South Canonry, No. 71	Canon F. B. Sowter.
II.	1st Jan.	The Canonry, No. 69	Ven. C. L. Dundas.
III.	1st April	North Canonry, No. 60	Ven. T. B. Buchanan.
IV.	1st July	Leadenhall, No. 70	Canon E. S. Bankes.

The Dean keeps nine months' residence each year. He holds the office of *Magister Fabricae I.* The other offices of *Magister Fabricae II.*, *Communaris*, *Custos Munimentorum*, and *Custos Puerorum* are held by the four Residentiary Canons in rotation.

A.D. 1319. Rursus, ex parte Decani, a kalendis Aprilis usque ad kalendas Julij,

de Chesyngebur',
Horton, } *Sacerdotes;*

Aultone,
Wyuelesford,
Netherhauene, } *Dyaconi.*

Et pro eodem tempore ex parte Cantoris,

de Remmesbur',
Buctune,
Schireborne,
[et] Lodres, } *Sacerdotes;*

de Slepe, *Diaconus;*

de Wermenistr' in terra,
[et] Stratford, } *Subdiaconi.*

Ultimo, ex parte Decani, a kalendis Julii usque ad kalendas Octobris,

de Brykelesworth, *Sacerdos;*

de Bisschopeston,
Bedeminyster,
Radecliue,
Netherbur' in terra,
Jatemynistr', } *Diaconi;*

de Yatesbur', *Subdiaconus.*

Et pro eodem tempore, ex parte Cantoris,

de Strattone,
Uphauene,
Prima parte Altaris, } *Sacerdotes;*

de Writelynton', *Diaconus;*

de Yateminystr',
[et] Prestone, } *Subdiaconi.*

Hic fit mensio de quinta

Ad huius vero ordinacionis, super quinta parte, vt predicitur, exsoluenda, per sedem apostolicam confirmate,

Quarter.	DECANI.	ORDERS.	CANTORIS.
I. From 1 Oct. to Jan. 1.	Potterne, Charminster, Heytesbury, Ogbourne, Torleton,	**Priests**	Teinton, Bedwyn, Calne,
	Beminster Secunda, Grimston, Alton Pancras,	Deacons	Rotefen,
	Chardstock, Lyme,	*Subdeacons*	Farringdon.
II. From 1 Jan. to April 1.	Grantham, Blewbury,	**Priests**	Grantham, Shipton, [High] Worth,
	Beminster Prima Beminster Church,	Deacons	Hurstbourne, Durnford,
	Rotescampe,	*Subdeacons*	Combe and Harnham, Minor Pars Altaris, Axford.
III. From 1 April to July 1.	Chesenbury, Horton,	**Priests**	Ramsbury, Bitton, Sherborne, Loders,
	Alton, Wilsford, Netheravon,	Deacons	Slape,
	(*Blank*)	*Subdeacons*	Warminster in Terra, Stratford.
IV. From 1 July to Oct. 1.	Bricklesworth,	**Priests**	Stratton, Upavon, Prima Pars Altaris,
	Bishopstone, Bedminster and Radcliffe, Netherbury in Terra, Yateminster,	Deacons	Writelinton,
	Yatesbury,	*Subdeacons*	Yeatminster, Preston.

And to secure the more careful performance in future times without surcease of this ordinance confirmed by

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parte prebende confirmate per sedem apostolicam.[1] (1 Oct., 1305.)

execucionem futuris et perpetuis temporibus diligencius faciendam, fuit per dominum Petrum de Sabaudia, tunc Decanum, et Capitulum Sar', primo die mensis Octobris Anno Dñi. Mcccv° solempniter congregatum inter alia concorditer sic statutum, quod in die illo, per singulos annos futuris temporibus reuoluendo, singuli Canonici taliter non residentes singulas quintas porciones huiusmodi in dicto Capitulo, loci communario persolui facerent, et integraliter numerari. Alioquin fructus prebende Canonici,

Nota de sequestro interponendo, et per quem.

statuto huiusmodi taliter non parentis, extunc per presidentem Capitulo sequestrentur, et sub huiusmodi tenerentur sequestro, donec paruerint plenius in hac parte premissis, non * tantum ad futura, sed eciam ad preterita

* f. 6 = p. 23.

tunc extensis. Set quia propter multa impedimenta que multiplicat malicia modernorum contingit frequenter quod Canonicus, statuto sibi termino prenotato, incumbentem sibi residenciam prenotatam nec inchoare poterit commode nec implere, Nos, Rogerus Episcopus supradictus, premissa ut sequitur moderando statuimus, vt siue in vno quovis anni termino, siue duobus, tribus, aut quattuor, pro suo arbitrio eligendis, tantam fecerit residenciam, vt, iuxta ipsius antiquam consuetudinem, de communa residentibus debita, tam simplici quam dupla, xl solidos valeat reportare, sic per residenciam huiusmodi penam, que non residentibus infligitur, valeat euitare.

xij dies [et plures] (n̄ pro consuetudine).

Potest eciam Canonicus in quolibet anni quarterio vt premittitur residens pro negociis suis quandocunque voluerit per xii dies continuos vel interpolatos de consuetudine eiusdem ecclesie hactenus approbata adminus, et aliquando per plures, se licite absentare, et nihilominus

(Integer Canonicus.)

quoad integralem distribucionem percipiendam integer Canonicus reputari.

Si uero aliquis Canonicorum, racionabili causa cessante, residenciam suam non fecerit prestitutam, et sine contradiccione quintam porcionem prebende debitam, prout

[1] The rule "*De quinta parte prebende*," re-established in the time of Dean Peter of Savoy (1st October, 1305), had been approved by Honorius III., 26th March, 1219, when the Cathedral was on the point of its removal from Old Sarum. (*Regist. Osm.*, i. 366.)

the Apostolic See, in respect of paying the fifth part as is aforesaid, among other points it was unanimously decreed by the lord Peter of Savoy (Sabaudia) then Dean, and his Chapter duly convoked on Oct. 1, 1305, that on that day as it recurred in each succeeding year in future, the several Canons not thus resident shall cause the fifth portions to be paid in full in the said Chapter to the Communar of the place, and to be reckoned without deduction, otherwise the revenues of the prebend of the Canon who thus disobeys this statute shall thenceforth be sequestrated to the Chapter by the President, and shall be kept in this sequestration until they give full obedience to the injunctions on this point then extended not only to the future but also to the past. But because, owing to many hindrances increased in number by the malice of men of the new age it often comes about that a Canon, after noting his statutory period of residence, will be able neither to begin conveniently, nor to complete, the residence required of him, We, Roger, Bishop aforesaid, by modifying the rota in the following way, decree that if in selecting one single period of the year, or two, or three, or four, according to his choice, he fulfil so long a residence that in accordance with the ancient custom he is able to earn forty shillings from the common fund due to residents, whether single or double, he shall by residence in this manner be legally excused from the penalty inflicted on non-residents.

Moreover, a Canon residing in any quarter of the year in the way prescribed, may, whenever in consideration of his private business he wishes to absent himself for twelve days at least, in succession or taken separately at intervals, (and occasionally for more), may lawfully do so by the custom of the Church approved hitherto, and notwithstanding may be reckoned as Canon with unimpaired rights so far as concerns undiminished allowance accruing to him.

If, however, any of the Canons on the surcease of the reasonable cause [of absence] shall not complete his prescribed residence, and without protest shall pay in full the fifth portion of the prebend due from him, as

A.D. 1319. superius est statutum, persoluerit, vel alias dictorum Presidentis et Capituli arbitrio satisfecerit pro eadem, declaramus, antiquis obseruacionibus ponderatis, et declarando statuimus, eos racione huiusmodi non residencie precedentis nullam omnino incurrere penam aliam, vel eciam incurrisse. Ne tamen sine causa racionabili se taliter absentantes, melioris vel saltem paris condicionis existant, cum illis qui ex causa legitima se absentant, dictorum Presidentis et Capituli arbitrio vltra prestacionem porcionis predicte in augmentum eiusdem, vel alias prout eisdem Presidenti et Capitulo visum fuerit, gravius puniantur; hec ne dum ad futura, sed ad preterita, extendentes.

† f. 6ᵇ = p. 24. Residenciam tamen predictam, ipsiusve penam, ad supra exemptos, vel prebendarium de Poterne † propter curam sibi imminentem exterius pastoralem, dicimus non extendi, nec ad archidiaconum Sar' qui pro tempore fuerit, qui ex antiqua ordinacione [1] Episcopi et Capituli nostri Sar' certis de causis in ea conscriptis a residencia huiusmodi, et non-residentis pena, quamcunque habuerit prebendam, est exemptus.

§ VII. *De residencia Subdecani et Succentoris.*

Nota. Subdecanus est penitenciarius episcopi et tenetur assidue residere in ecclesia Sar'. Subdecanus tenetur petere stallum in Choro. Ceterum quia in institucionibus bone memorie Osmundi, dicte ecclesie fundatoris, minime continetur quod subdecanus et Succentor Sar' teneantur iurare in eadem ecclesia residere, vel approbatas ipsius ecclesie consuetudines, sicut iurant canonici, obseruare,—Nos, Rogerus, Episcopus supradictus, ad honorem Dei et gloriosissime Virginis matris sue, patrone nostre,[2] ac diuini cultus augmentum, et animarum salutem, aliisque certis de causis nos ad hoc racionabiliter inducentibus, de consensu vnanimi et expresso presidentis et Capituli predictorum, sufficienti deliberacione et tractatu prehabitis in hac parte, volentes onus cure penitenciarie nostre subditorum nostrorum in dicta ecclesia exercende Subdecanatui

[1] See above, p. 70.

[2] The reference to the Blessed Virgin, in the present instance, is left unaltered in MS. *E*.

is decreed above, or shall otherwise satisfy the will of the President and Chapter for the same, We declare after weighing ancient observances, and, by declaring We decree, that by such reason of non-residence foregoing, these [defaulters] neither do incur nor have incurred any other penalty whatsoever. But in order that those who thus absent themselves without reasonable cause may not stand on better or equal terms compared with those who absent themselves for lawful cause, let them by the will of the said President and Chapter be punished more severely in addition to the payment of the portion aforesaid by increasing the same or otherwise as the said President and Chapter shall decide. And we declare these penalties to apply not only prospectively, but retrospectively.

But we declare that residence aforesaid, or the penalty for non-residence, does not apply to those exempted above, or to the prebendary of Potterne by reason of the pastoral cure laid on him [3] without, nor to the Archdeacon of Salisbury for the time being, who by the ancient ordinance of the Bishop and our Chapter of Salisbury for definite reasons laid down in it, has been exempted from residence of this sort, and penalty for non-residence what prebend soever he may be holding.

§ VII. *Of the Residence of the Subdean and Succentor.*

Moreover, because it is barely laid down in the institutions of Osmund of blessed memory, founder of the said Church, that the Subdean and Succentor of Salisbury are bound to swear to reside constantly in the same Church, or to observe the approved customs of the Church itself, as Canons swear: We, Roger, Bishop aforesaid, for the honour of God and of the Glorious Virgin His Mother, our Patroness, and the increase of divine worship and the salvation of souls, and from other causes reasonably influencing us to this, by the unanimous and express consent of the President and Chapter aforesaid, after sufficient deliberation and discussion had on this point, being desirous of adding to the Subdecanate aforesaid the

[3] The prebend of Lavington and Pottern was attached to the office of the Bishop in 1254.

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annectere memorato et sic Subdecanum ipsum ad assidue residendum in eadem ecclesia artare vinculo iuramenti,—

Juramentum subdecani.

Statuimus ex causis predictis, et statuendo concorditer ordinamus, quod quicunque cui de Subdecanatu eodem,[1] quocunque titulo perpetuo et quavis auctoritate, deinceps prouideri contigerit, teneatur futuris temporibus et perpetuis onus penitenciarie subire predictum, et eciam iurare in Capitulo, propositis sibi sanctis euangeliis, quando petit stallum in choro dicto Subdecanatui ab antiquo conueniens assignari, quod personaliter onus penitenciarie huiusmodi exercendo in dicta ecclesia residebit, sicut quatuor persone, et eiusdem ecclesie consuetudines approbatas, quantum in eo est, pro viribus observabit, quatenus subdecanatum noscuntur concernere memoratum.

Succentor tenetur assidue residere.

Succentorem eciam ecclesie nostre predicte de residendo assidue in eadem, et de eiusdem approbatis consuetudinibus obseruandis, quatenus ipsum concernunt, simile iuramentum in sui installacione prestare volumus,

* f. 7 = p. 25.

et eciam de expresso * consensu domini Symonis de Derham[2] nunc in dicta ecclesia Succentoris, vnanimiter ordinamus.

Juramentum eiusdem.

[1] The marginal note here is, "Notandum: Subdecanus est penitenciarius episcopi, et tenetur assidue residere in ecclesia Sar." Et infra: "Subdecanus tenetur petere stallum in choro." In the XIIIth century the Penitentiary had been a Canon or official other than the Subdean. One of the earliest Subdeans of Salisbury, Thomas de Chabeham (*cir.* 1213–37), was author of a *summa*, or manual, on preaching. In Bishop Mortival's own day another Thomas of Cobham was Subdean (*cir.* 1312), author of a *Summa de Vitiis;* and after being elected abortively to the primacy in May, 1313, he became Bishop of Worcester, 1318–27. Robert de Worth was Subdean in 1309, and again when these Statutes were presented, 16th July, 1319. Perhaps he was re-appointed when T. de Cobham went to Paris, Pontoise, and Avignon in 1313. As to residence, King John, *cir.* 1203, confirmed to Wimund, the Subdean, the house and premises occupied by a former Archdeacon of Wilts, *ad se hospitandum in illis* (Cart. 5 Jo.). On 8th June, 1442–3, the Dean and Chapter assigned to Subdean J. Pedewell and his suc-

burden of exercising the penitentiary care of those put in our charge in the said Church, and thus to bind the Subdean himself by the bond of an oath to reside continually in the same Church: We decree from the causes aforesaid, and in decreeing unanimously ordain, that whenever it falls to any one's lot to be invested hereafter with the same Subdecanate, by whatever perpetual title and whatever authority, he shall in future times without exception be bound to take on himself the burden of Penitentiary, and also to swear in the Chapter on the Holy Gospels presented to him when he claims a stall in the said choir, suitable from old time for the Subdecanate to be assigned to him, that in undertaking in person the burden of Penitentiary of this sort he will reside in the said Church, as the Four Dignitaries do, and that he will observe the approved customs of the said Church to the best of his power, so far as they are known to pertain to the Subdecanate aforesaid.

We also desire that the Succentor of our Church aforesaid should at his installation take a like oath as to residing constantly in the same, and as to observing the approved customs of the same, so far as they pertain to him, and we also ordain this by the express consent of the lord Symon of Derham, now Succentor in the said Church.

cessors "*quandam placeam siue mansionem* situatam prope portam Sancte Anne, imperpetuum remansuram" (*Reg. Hutchins*, p. 59). The house (No. 18 in the Close, opposite the Vicars' Hall) was sold by the Commissioners about 1860, and was purchased by Bishop Denison for the benefit of the Vicar of St. Thomas.

[2] Symon de Derham had been Subtreasurer in 1294. (*Osmund Reg.* ii. p. 116.) Canon Jones gives instances of Treasurers in 1394 and 1548 nominating a Subtreasurer from among the Vicars Choral. His appointment was confirmed by the Dean and Chapter, but was held during the Treasurer's pleasure. (Jones, *Fasti*, 235.) The Succentor was allowed a gallon (*lagenam*) of wine, and another of beer, for "his great labours" in connexion with the *lavipedium* at the Maundy. (*Salisbury Ceremonies*, p. 81.) A house between the Hungerford chantry-chaplain's house and the Deanery was assigned to the Succentor's office, 27th August, 1440, but was pulled down in 1849. (Jones, *Fasti*, p. 272; *Wilts. Arch. Mag.*, xxix. (1897), pp. 95–97.)

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Negocia capituli communia sunt prius tractanda: omissis narracionibus que ad rem non pertinent.

§ VIII. *Ut ordidate negocia Capituli pertractentur.*

Ne priuata commoda publice utilitati ecclesie preferantur non sine causa per maxima [1] ordinamus, ut cum, pro negociis ecclesiam et Canonicorum quemlibet eque communiter contingentibus, Capitulum contigerit congregari, nullus huiusmodi propositum negotia in proponendo illa que ipsum in sua contingunt prebenda forsitan siue firma preveniat, aut cum in proponendo fuerit suas interserendo querelas quomodolibet interrumpat sed negocio communi sic proposito intendat et illud cum aliis discutiat, prout tunc fieri poterit, diligenter, et omissis narracionibus que ad rem non pertinent, tunc demum die illo, si fieri valeat bono modo, aut alio ad ipsius petitionem, ad hoc per presidentem assignando, ciuili modo proponat et prosequatur accionis et querele si voluerit quicquid habet, nisi res ille que proponere sic affectat essent forte per dilacionem huiusmodi licet modicam periture.

§ IX. *De gestis in Capitulo fideliter conscribendis.*

Quoniam contra falsam assertionem directa probacio non existit ne veritatis puritas, aliis vnum, reliquis vero dicentibus contrarium, super hiis que sine scriptura in ipsorum fuerint presencia alioquciens agitata, contingat in posterum obumbrari,—Statuimus et eciam ordinamus, ut non solum ea que in Capitulo nostro super notabili quouis negocio gesta fuerint in futurum, sed et habita exterius quouis loco et tempore Capitulum contingencia, et presertim data, tradita, seu liberata, una cum exhibitis, tam prouisoriis quam aliis mandatis, quibusamque, designatis eciam temporibus illis, quibus canonici admissi

[1] *Per maxima:* that is, by the greatest considerations, the strongest grounds. "Maximum est quo magis colligi non potest." (Calvin. Lex. Jurid., *s.v.*) (*J.*)

§ VIII. *That the Business of the Chapter be transacted in due order.*

In order that private interest may not be put before public welfare, we ordain (and this, not without the strongest grounds) that whenever it comes to pass that the Chapter is convened for business touching the Church and any of the Canons equally in common, no one shall forestall a motion of this kind in setting forth matters which touch him, in his prebend (it may be) or his estate, or whenever he is engaged in making a proposition, shall in any way whatsoever break it off by inserting his own private complaints, but shall give his whole mind to the common business thus proposed, and discuss that with the others, as carefully as then he may, and setting aside speeches which do not bear on the subject of discussion, and not till after that on the same day if it may properly be done or on another day, assigned to this purpose by the President, upon his request, he shall in civil manner set forth and carry through whatever process and complaint he has, if he so choose, unless the matters which he then desires to set forth should perchance be endamaged by a delay of this kind however inconsiderable.

§ IX. *Of keeping a faithful record of the Acts of the Chapter.*

Seeing that direct proof is not forthcoming to meet false asseveration: lest it should come to pass hereafter that the plain truth should be obscured, while some affirm one thing and the rest declare the contrary about matters which were on some occasion discussed in their presence with no written minutes, we decree and ordain that not only matters which shall hereafter be transacted in our Chapter in any noteworthy business, but also such as may occur outside to concern our Chapter's interest at any place or time, and particularly what is presented, entrusted, or delivered over, together with all mandates (provisory or any other whatsoever), exhibited, the times being specified precisely when Canons are admitted and

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fuerint et installati in futurum, in inchoando super hiis ipsius Capituli registro et fideliter continuando, per deputandum ad hoc ab ipso Capitulo Notarium iuratum plenius conscribantur.[1] Nec per hoc, laudabilem consuetudinem secundum quam hec et alia quecunque dicti Capituli negocia que Canonicos, vicarios, et alios ecclesie ministros contingunt, quandocunque in ipso † Capitulo pertractanda, debent de plano et summarie terminari, infringere, quod absit, intendimus. Sed tam nobis quam hiis qui venturi sunt, quociens opus fuerit, representare certitudinem premissorum, vt nos et illi preteritorum, exemplis incumbencia ex nunc quocunque tempore negocia valeamus, et valeant, facilius expedire.

Nota de recepcione exhibitorum.

Hic de notario capituli iurato.

† f. 7ᵇ = p. 26.

Negocia Capituli sunt summarie et de plano terminanda.

De Rebus Ecclesie Conservandis.[2]

§ X. *De registro et aliis munimentis caucius conseruandis et [de] citacione Canonicorum.*

Cum super effectum statuti cuiusdam antiqui, pro eo quod illud, in ea parte in qua de citacionibus Canonicorum per suos vicarios emittendis fit mencio, in eodem inuenimus cancellatum, an videlicet seruari debent in posterum, diligencius tractaremus—ecce vincens super omnia veritas se patenter nostris obtuitibus, offerebat, dum in quodam libro quondam Symonis, Decani Sar', super gestis antiquis in ecclesia Sar' in medio exhibito inter alia vidimus contineri, quod quidam olim Vicarius Sar' et tunc custos Thesaurarie, primo statutum huiusmodi falso et maliciose cancellauit, propter quod idem Decanus, prout in libro scribitur antedicto, ipsum excommunicatum reputauit pariter et periurum. Nos igitur,

Nota quales correcciones tunc fiebant.

[1] The series of Salisbury Chapter Act Books ranges from 1329. There are, however, some recorded for the years 1320-23 in *Lib. Evid. Capituli* (Reg. *C.*), ff. 452–7.

[2] The title *De Rebus Ecclesie Conseruandis* is given to this new section of this code of 1319-24, in MS. E. f. 30ᵇ. It relates particularly to cap. xi. *Registrum Rubrum* (ff. 1–107) was copied from *Reg.* B. early in the xivth century.

installed in future, so as to begin and faithfully carry on a register of the same Chapter on these points, shall be fully recorded in writing by a sworn notary appointed for this purpose by the Chapter itself. But by this decree We do not intend (God forbid!) to break the praiseworthy custom in pursuance of which these and all other businesses whatsoever of the said Chapter which touch Canons, Vicars, and other ministers of the Church requiring discussion at any time soever in the Chapter itself, must be decisively and summarily dealt with, but [We intend only] that We and our successors may be able to set before ourselves and themselves, whensoever need arises, the certainty of the matters aforesaid, by means of precedents, so that We and they may more easily from henceforth discharge the duties of business laid on us and them.

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§ X. *Of the careful keeping of the Register and other Muniments, and of the Citation of the Canons to Chapter.*

While we were discussing carefully the effect of a certain ancient statute, in consideration of the fact that in the part in which mention is made of sending out citations of Canons to Chapter through their Vicars we found the item cancelled—to wit whether they ought to be kept for future reference, lo! all-conquering truth displayed itself to our eyes while in a certain book of Symon,[3] formerly Dean of Salisbury dealing with ancient acts in the Church of Sarum, and now publicly produced, we found among other matters this also contained, that a certain Vicar of Salisbury in old time, then Warden of the Treasury,[4] then first did falsely and of malice cancel a statute of this kind, for which deed the same Dean, as is written in the same book, pronounced him both excommunicate and at the same time a perjurer. We, therefore, wholly

[3] This was Symon de Micham, who held the dignity of Dean 1288–97. He had been Chancellor of the Cathedral in 1274–88. He was Canon of Wells, and was the owner of our MS. (No. 105) of Alex. Hales on the Sentences. (See also p. 115, *supra*. See *Fasti*, p. 313.)

[4] The "Custos Thesaurariæ" was the Sub-Treasurer (see *Fasti*, p. 235), for in the margin of the old Statute Book is this note, "Vicarius, Custos Thesaurariæ, vulgariter nunc dictus Sub-Thesaurarius." (*J.*)

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quod circa hec idem reprobatus egit vicarius, penitus reprobantes, statutum predictum, quod in quibusdam vacillare videbatur, tenore presencium reducimus obseruandum, vt eo in suo robore duraturo iuxta formam illius emittantur citaciones huiusmodi cum pro tempore quandocunque occurrerint emittende, et ne per negligenciam quibusuis personis exnunc talia vel consimilia committendi relinquatur facultas, statuimus quod tam registra dicte ecclesie quam cetera scripta et munimenta codicesque racionum, ac singula ipsos qualitercunque contingencia, eligendo ad hoc per Capitulum Canonico committantur in posterum conseruanda, et per eum exhibenda cum Capitulo visum fuerit expedire. ¶ Illos vero omnes et singulos qui premissorum aliqua detinent occupata, nisi illa infra mensem a tempore publicacionis presencium, seu monicionis in genere, et quatenus poterit in specie, sibi faciende, Capitulo restituerint memorato ut permittitur * conseruanda, reputamus ecclesie non fideles, et tanquam ipsius jura illicite detinentes, maioris excommunicacionis sentencia super hiis prolata frequenter et publice innodatos.[1]

Hic de citacionibus Canonicorum; quomodo, vbi, et per quos notificabuntur.

Nota quod vnus Canonicus erit custos registri eligendus per Capitulum.

* f. 8 = p. 27.

Nota: pena delinquencium in isto statuto.

§ XI. *De rebus Ecclesie conservandis.*[2]

Ne per ignoranciam que mater existit erroris, seu nostram (quod absit) negligentiam, videantur res ecclesie deperire, presenti statuto firmius in posterum obseruando, ordinamus vt annis singulis in futurum, die videlicet lune proxima post quindenam Pasch' ordinandi ad hoc per presidentem et Capitulum duo Canonici Residentes qui cum loci Cancellario, qui pro tempore fuerit, loca vniuersa que

Istud statutum non est obseruatum propter desidiam Canonicorum.

[1] The "Great Sentence," or "Curse," was required to be published in churches four times in the year. Two forms of it are printed in Wordsworth's *Salisbury Ceremonies and Processions*, pp. 44-46, 245-255.

[2] A note in the upper margin refers us to the *Houchyns' Register*, fo. 21[a], for a statute made at the Visitation by Bishop William [Ayscough] in 1440, concerning the Treasurer.

disapproving of what that reprobate Vicar did in these particulars, by the tenor of these presents do restore to observance the aforesaid statute [3] which seemed in some points to require strengthening, so that, while it may hold good for ever in its own strength, such citations may be issued in virtue thereof, when on any occasion they may require to be sent out, and to prevent the opportunity of committing such or similar irregularities from being left through negligence in the power of any persons hereafter, We decree that the registers of the said Church as well as all other writings and muniments and books of accounts and all documents whatsoever pertaining to the same in whatever way, be entrusted for future safe-keeping to a Canon elected for this purpose by the Chapter, and may be produced by him whenever the Chapter deem it expedient. As for those, all and singular, who retain in their keeping any of the aforesaid documents in their possession, unless they restore them to the Chapter aforesaid to be placed in keeping as aforesaid within one month from the time of the publication of these presents, or of a monition given generally, and as far as possible to each one specially, We count them to be persons who are faithless to the Church, and We deem that, like all those who withhold unlawfully what belongs to her by right, they are involved in the sentence of the Greater Excommunication which is frequently and publicly denounced against such offenders.

§ XI. *Of guarding the property of the Church.*

In order that neither through ignorance, which is the mother of error, nor through our carelessness (God forbid!) the property of the Church may be found to depreciate in value, We ordain for the more stringent observance of the existing statute hereafter, that every year for the future, viz. on the Monday next after the fifteenth day of Eastertide, two Resident Canons to be appointed for the purpose by the President and Chapter, who with the

[3] Statute of 15th August, 1222, § 8. (See p. 76, *supra*.)

A.D. 1319. infra ecclesiam fuerint vice Capituli visitantes dicte ecclesie cartas, munimenta, instrumenta quelibet, calices, libros, vestimenta, vasa et omnia alia ecclesie ornamenta, quocunque nomine censeantur, diligenter videant, et sub certo apponendo in singulis precio, et auri vasis et argenti ponderibus fideliter conscribant et deponant per indenturam tutissime conseruanda. Prouiso quod carte et instrumenta que Nos . . Episcopum contingunt, et ea que ad Decanum pertinent, ac alia que ad Capitulum spectare debent, diuisim in quantum fieri poterit, reponantur, sub certis titulis in apertura ciste in qua reponenda fuerint designata, que vel quorum administracio, nec Nobis, nec . . Decano aut cuiquam de Capitulo tradantur exterius deferenda, nisi facta a recipiente scriptura que obligacionem contineat competentem, quod receptum huiusmodi, statuto sibi termino, sanum et integrum debeat fideliter reportare.

Nota modum.

§ XII. *De reparandis defectubus patentibus in Ecclesiis spectantibus ad communam.*[1]

Nota quomodo vicarie

Qua fronte possit aliorum arguere culpas qui delere non curat proprias, non videntes,—Statuimus et eciam

[1] Vicarages belonging to churches *de Communa Canonicorum*, and those likewise of prebendal churches, where not already settled (*ordinatae*), are here directed to be done at once by hiring a proper ordinance drawn up. Bishop Ric. Poore, by his constitutions in accordance with the 14th Canon of the Council of Westminster, A.D. 1200, and other directions, inhibited the Cistercians and other monastic societies from farming out the benefices in their patronage. He required them to provide satisfactory Vicars permanently appointed, and directed the establishment of "Perpetual Vicarages" for all churches impropriated by "religious" persons. Any Rector who did not choose to reside was likewise required to settle (*ordinet*) a Perpetual Vicar. The terms in which the rights of the church and parish, the patron, and the rector were defined, were specified in a document called "*Ordinatio Ecclesiae*" or (where there was a Vicar) "*Ordinatio Vicariae*," of such and such a place. Many, and perhaps most, of the Wiltshire parishes were, presumably, thus settled in the thirteenth century before 1297, when our series of Bishop's Registers begins. Bishop Poore's *Ordinatio Vicariae de Fordington* (Dorset) is preserved (*Osmund Reg.*, i. 322), and

Chancellor of the place [2] for the time being, when visiting on behalf of the Chapter all places under the jurisdiction of the Church, shall carefully inspect the writings of the said Church, the muniments, deeds of all kinds, chalices, books, vestments, vessels, and all other ornaments of the Church, under whatever heading they are entered, and by affixing a definite valuation for each item, along with the weight of the vessels of gold and silver, shall faithfully enter them and put them in the safest keeping by indentures. Provided that the writings and deeds which touch us (the Bishop) and those which appertain to the Dean, and others that ought to belong to the Chapter, be stored separately, so far as possible, under definite headings on the lid of the chest in which the named articles are to be preserved; and that neither these nor their management are to be handed over to us or to the Dean, or to any member of the Chapter, to be taken away outside the premises except under a guarantee in writing by the recipient which contains a clear statement of obligation that he is bound faithfully to return safe and sound at the close of the period stated whatever of this kind he has received.

§ XII. *Of the repair of defects which appear* [*as regards their Vicarages*] *in the case of Churches belonging to the Communa, etc.*

Not seeing how with any decency a man can blame the faults of others if he is at no pains to correct his

one likewise of a Rectory (*id.*, ii. 26–28). See also the monastic record for Crudwell in *Regist. Malmesb.*, i. 398–401; and that for Bucklebury and Thatcham, in *Salisb. Charters*, 85. The *Ordinatio Vicariae* for St. Mary's, Marlborough, 1238; Laverstock, 1239; Melksham, 1250;—occur *id.*, pp. 244, 250, 178 respectively; and that for Sutton Benger, 1265, is in *Reg. Rubr.*, f. 187 (paper). In the next century the Episcopal Registers contain those for Tilshead and Hullavington, 1319; and for Preshute Vicarage (previously served by a rector), 1329.

[2] *I.e.* the Chancellor of the Cathedral Church. (See pp. 26, 30, 32 *n.*, 38, 40, 52, 58, 62, 82, 112, 122 *n.*, 128 above.) Inventories of books and ornaments viewed at the Dean's Visitation of churches and chapels in 1220–26 will be found in (R.O.) *Osmund Reg.*, i. 275–297, 304–306, 313. Those of the Cathedral Treasury, *cir.* 1099, 1214–22, and 1536, are in *Salisbury Ceremonies*, etc., pp. 160–184.

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ordinamus vt vicarie que in ecclesiis ad communam canonicorum spectantibus non sunt hactenus ordinate, quam cicius commode fieri poterit ordinentur, et prius ordinate si oporteat augeantur; hiis in vicariis prebendarum consimiliter obseruandis. Et patentes in eis defectus ex quorum continuacione diutina murmur et obloquium † in plebe nouimus suscitatum, taliter suppleantur, ut locis illis simul, et rebus ad illa pertinentibus, in statu debito deinceps obseruatis, obmutescant ora loquencium iniqua, et populi deuocio hac occasione § quodammodo iam subtracta, ad Deum et Ecclesiam, grataque ipsorum obsequia futuris temporibus impendenda, propensius excitetur.

pertinentes ad communam fuerunt ordinate.

† f. 8b = p. 28.

§ ["hac occa*sione*."]

§ XIII. *De Communi nemore conseruando.*

Nemo est iam qui vult istud statutum obseruar' propter auariciam.

Nemus commune canonicorum, per ecclesie nostre emittendos Canonicos, tociens videatur quociens id visum fuerit expedire. Prouiso quod nil prosternatur in eo, vel ab eo quomodolibet auferatur, nisi tali tempore talique consideracione, vt iterum crescere pocius quam minui occasione huiusmodi ‖ videatur; et quod Canonicis consuevit iuxta antiquam consuetudinem assignari; quam assignacionem sine accepcione personarum, de consensu Capituli, et pro ipsorum Canonicorum areis in clauso[2] eorundem claudendis, et non aliter, fieri volumus in futurum, nisi forte silua cedua in eodem nemore sub diligenti custodia habundancius succrescente, vel multiplicatis fortassis arboribus, Canonici quandocunque sine dampno eorundem ecclesie aliter decreuerint faciendum.

‖ ["occone hi9 "]

Nota quod Canonici habebunt materiam subbosci [*i.e.* underwood] ad clausuram arearum suarum.

[1] "Occ'*ione* h*uius*[modi]:" MS. E.—The phrase "hac occasione" occurs in the preceding chapter (nine lines above), and may have prompted the Bishop or his scribe to use the word "occasione" (or, possibly, "occisione") here, and, it may be, with the thought of "*occidione*" in his mind to express (as the late Mr. A. R. Malden supposed) a "*fall*" of timber.

[2] The embattled wall of the Close was not built until King Edward III., a few years later (31st Aug., 1327), directed that the ashlar should be stripped from the ruins of Old Sarum Cathedral and brought

own:—We decree and ordain that the vicarages which in churches belonging to the Corporation of Canons have not been put in order up till now be put in order as soon as is conveniently possible, and that those which have been already put in order be now augmented if need so require. These directions are to be observed also in the vicarages of prebends in like manner. And that glaring defects in these, from the long continuance of which we know that murmuring and malicious gossip has arisen among the people, be in like manner made good, in order that when these places, and likewise the property belonging to them, are at once together perceived to be in their proper condition, the tongues of scandalmongers may thenceforward be silenced, and that the devotion of the people, now partially withdrawn upon this pretext, may be more readily aroused towards God and the Church, and to the due offering of thankful worship in time to come.

§ XIII. *Of the preservation of the woods belonging to the Canons in common.*

Let the common woods of the Canons be examined by Canons of our Church sent out for this purpose as often as it seems desirable to arrange. Provided that nothing be cut down in it, or in any way removed from it, except at such a time and with such care that it may be found that the growth is increased rather than diminished by such felling,[1] and what has been customarily allotted to the Canons be allotted to them by ancient custom; which allotment we wish to be made for the future without acceptance of persons, by consent of the Chapter, for enclosing the premises of the Canons themselves in their Close, and not for any other purpose, unless it be that when wood fit for cutting grows up more abundantly in the same wood by reason of careful husbandry, or when trees increase in number through some chance, the Canons do at any time resolve that other use may be made of it without injury to the Church.

hither for the purpose of crenellation. (*Hist. MSS. Report*, 1901, pp. 363, 385.) The core of the ancient walls at Old Sarum has been discovered by excavations in 1912–13.

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§ XIV. *De Domibus Canonicalibus optinendis, retinendis, et eciam dimittendis.*

Vicarij solebant ocupare domos canonicales.

Ad hec adiciendo statuimus, ut si forte cedente vel decedente quouis Canonico, contingat vicarium domum illius, vel quamlibet aliam Canonicalem, quouis tempore seu titulo inhabitare, illam, per diuerticula, vel mansiunculas in illis forsitan faciendas, Canonicorum vsui non reddat ineptas,[1] nec detineat, aut in alium vel alios absque expresso consensu Capituli transferat qualitercunque; quominus veniens Canonicus et eas petens, paratus, iudicio Capituli reddere, quod racionabiliter circa illas adquirendas et conservandas per ipsum vicarium appositum fuerit vel expensum, ipsam absque contradicionis obstaculo optinere valeat iuxta antiquam dicte ecclesie consuetudinem pacifice possidendam; hiis ne dum ad futura, sed eciam ad preterita iam extensis. Nec liceat deinceps Canonico vel vicario possessionem alicuius domus apprehendere nisi tunc demum cum * in Capitulo lectus fuerit titulus quem venditor fecerit emptori, vel legatario testator; quo viso, et per Capitulum approbato, statim et sine difficultate possessionem emptor vel legatarius assequatur. Dum tamen successio hereditaria in ipso titulo penitus excludatur, domibus quorumcunque Canonicorum et vicariorum in clauso Sar' ante nunc optentis et in posterum optinendis, qui et Canonicatibus et vicariis suis pridem cesserunt, et quos cedere vel decedere continget eciam in futurum, per cedentes ipsos si vixerint, et decedentium executores, ex nunc prout ex tunc infra annum, et eo lapso ob necgligenciam eorundem per . . Decanum et Capitulum, absque istorum vel illorum inhabitacione longiori in alium qui Canonicus vel vicarius fuerit in ecclesia memorata iuxta ecclesie consuetudinem

Modus habendi domos ["tam vicariorum, quam Canonicorum" *add.*]. * f. 9 = p. 29.

Approbacio Capituli.

Successio non erit hereditaria.

Nota modum.

[1] "Illam . . . in illis . . . ineptas," etc. The change from singular to plural is in the MS. E., f. 9^b = p. 28.

§ XIV. *Of obtaining, holding, and letting the Canonical Houses.*

In addition to this we decree that if on the resignation or death of a Canon it so happen that a Vicar occupy his house, or any other Canon's house, at any time or under any title whatsoever, he shall not make it unsuitable for the Canons' use by making lodgings (it may be) or little chambers there, nor shall he keep possession of it, nor in any way transfer it to another or to others without the express consent of the Chapter; that nothing prevent a Canon, when coming and claiming such house, if he be prepared to pay, as the Chapter shall decide, what has been reasonably laid out or expended by the Vicar in acquiring or preserving them, from validly securing the property without any bar of opposition, so as to hold it peacefully, according to the ancient custom of the said Church. These provisions are to cover not only future cases but also past. And in future it shall not be lawful for a Canon or Vicar to take up possession of any house unless and until there be first read aloud in Chapter the title-deed which the vendor has granted to the purchaser, or the testator to the legatee. When this has been inspected and approved by the Chapter, the purchaser or legatee shall at once, and without hindrance, attain possession. Provided, however, that hereditary succession be wholly excluded in the title-deed itself, the houses of all Canons and Vicars whatsoever hitherto secured, or hereafter to be secured in the Close of Salisbury, when the occupants have resigned their canonries or vicarships, and the houses of those who may chance to retire or die in time to come shall be transferred by their own hand if they retire in their lifetime, or by their executors hereafter as heretofore if they are dead. And in default of the action of the above after the lapse of one year, they shall be transferred by . . the Dean and Chapter (without retired Canons or executors occupying them further) to another who is Canon or Vicar, according to the custom of the aforenamed Church, on his

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§ XV. *De custodiis Domorum.*

Extranei non sunt introducendi in clausum Canonicorum ad inhabitandum.

Vicarii custodiis domorum Canonicorum deputati, et in posterum deputandi, presidenti in Capitulo per Canonicum presentati, sub debito fidelitatis juramenti ecclesie prestiti per presidentem expressius onerentur, quod per se alium vel alios, nullum vnquam extraneum excitabunt vel procurabunt, domum Canonici vel vicarii, sub officij vel quovis alio quesito colore, etiam hospitando pro quantocunque tempore modico occupare; quodque motu suo nullum ad hoc admittent, vel id, quantum in eis fuerit, fieri sic permittent, nisi de iniunccione vel licentia presidentis. Alii autem custodiis huiusmodi deputati, si alias ecclesie jurati non fuerint premissa se iurent consimiliter servaturos, et eciam eidem ecclesie fidelitatem saltem pro tempore huiusmodi custodie duraturam, vt sic quies Canonicis et ipsis vicariis servetur, dum diuinis obsequiis intendentes a laicorum fuerint tumultibus segregati.

("nisi de iniunctione vel licentia presidentis," *add. secul.* xvii.)

§ XVI. *De ruinosis in Clauso domibus emendandis.*

† f. 9[b] = p. 30.

Canonici debent compelli ad reparacionem suarum domorum per sequestracionem fructuum in prebendis.

† Ne clausum ecclesie per contentorum edificiorum ruinam, vt incipit, amplius deformetur, ordinamus et statuimus, vt illi qui domus huiusmodi habuerint ruinosas, vel in tantum derelictas quod ruinam minentur in proximo imminentem, illas reedificent, et in statu debito conseruent, et per fructuum in prebendis suis quandoscunque inuentorum sequestrationem presidentis ministerio compellantur; quod non tantum ad futura, sed ad presencia simul et preterita extendi volumus; et circa illa firmiter

paying, nevertheless, the price of such holding to him whose property they were till that time.

§ XV. *On the custody of the Canonical Houses.*

The Vicars appointed or hereafter to be appointed to be custodians of the Canons' houses when presented by a Canon to the President in Chapter under the bond of an oath of fealty to the Church of Sarum tendered by the President, are expressly to take upon themselves that they will not, by themselves or others, move or procure any stranger to occupy for any time, howsoever short, the house of a Canon or a Vicar under colour of his office, or any other pretence devised: not even of offering hospitality; and that they will not admit any to this [privilege] by their own action, nor allow it so far as lies in their power, except by instruction and licence of the President. Any other persons appointed to custodies of this kind, if they have not taken the oath [of fidelity] already, shall swear that they will observe in like manner the above injunctions, and also that their fealty to the said Church shall hold good at least for the period of custody of this kind, in order that so peace may be preserved to the Canons and Vicars themselves, while they shall be kept from the strife of tongues of the laity and keep their minds fixed on divine worship.

§ XVI. *On the repairs of ruinous houses in the Close.*

In order that the Close may be no longer disfigured by the ruinous state of the houses contained in it, as is beginning to be the case, we ordain and decree that those who possess ruinous houses of this sort, or houses so far neglected that they threaten ruin in the near future, shall rebuild them and keep them in proper condition, and shall be forced to this duty by the sequestration on the part of the President of the produce of their prebends whensoever such be found thereon; and this procedure we desire to be extended not only to future but also to present and past cases, and to be thoroughly observed in

A.D. 1319. obseruari vicariis ad hec, quatenus eos contingunt, presidentis et Capituli arbitrio, quociens opus fuerit compellendis.

§ XVII. *De prebendarum condicionibus clarius conscribendis.*

Prebende debent videri per emittendos: non dicit per quos.

Ad certitudinem presencium, et memoriam futurorum, ordinamus, vt quamcicius commode fieri poterit, per emittendos a Capitulo videantur prebende singule, et inquisitis condicionibus illarum, consuetudinibus, homagiis, redditibus, terris, boscis, pratis, pasturis, proficuis, et aliis quibuscunque eas tangentibus, fiat de hiis, cum compleuerint, et aliis factis in hac parte, liber vnus, continens inter alia, quid implementi debeat decedens dimittere, quidque succedens recipere, quocunque tempore anni hoc contigerit; et que sunt libertates et consuetudines prebendarum huiusmodi speciales, prebendariis illis, per presidentem et Capitulum, cum opus fuerit, compescendis, ne contra premissa tenentes suos puniant, opprimant, sive grauent.

(Non est talis liber adhuc factus.)

Prebendarij non sint graues suis tenentibus.

§ XVIII. *De prebendis et earum iuribus conseruandis.*

In prebenda de Prestoñ. N.B. quod prebende non debent ven[um]dari laicis.

Ad conservacionem iurium et libertatum ecclesie nostre Sar' que in plerisque prebendis per ipsorum prebendariorum absenciam, et incognitorum, qui firmas prebendarum illarum tenebant, necgligenciam, maliciam, et oppressionem, audivimus aliquociens deperire, dum firmarii illi de se querelantibus[1] coram presidente et Capitulo contempnunt in hiis que firmas ipsas contingunt * vice Canonici respondere,—Cancellos eciam, quorum sustentaciones ad huiusmodi prebendarios pertinere noscuntur,

* f. 10 = p. 31.

[1] *Querelare*, to complain; see Ducange, *sub voce*.

all such cases by coercing (by decision of the President and Chapter) the Vicars to perform these duties, so far as they concern them, as often as need arises.

§ XVII. *On registering the conditions of prebends more clearly.*

For present certainty and future remembrance, we ordain that (as soon as can conveniently be done) all prebends be viewed by inspectors sent out by the Chapter, and that after enquiry into the conditions on which they are held, the customs, homages, rents, lands, woods, meadows, pastures, profits, and all other matters concerning them, there shall be made (on the completion of the [Commissioners'] work) one volume of these particulars and of others like them, containing amongst other details what farm stock an outgoing [tenant] must leave, and what the incoming [tenant] must take over, at whatever time of year this takes place: and stating what are the special liberties and customs of such prebends; so as to restrain, when need arises, the prebendaries by the action of the President and Chapter, lest they punish, oppress, or overburden their tenants in defiance of the above injunction.

§ XVIII. *On preserving the prebends and their rights.*

For the preservation of the rights and liberties of our Church of Salisbury, which in the case of several prebends we have heard often suffer diminution by reason of the absence of prebendaries and the carelessness, malice, and cruelty of persons unknown, who occupied the farms of those prebends, while the farmers will not condescend to make answer in a Canon's room to those who complain of them to the President and Chapter in matters pertaining to the farms themselves—and allow the chancels also,[2] the upkeep of which is known to belong to the prebendaries,

[2] *Cancellos eciam.* Here the xvth-century annotator notes, "*In prebenda de Preston.*"

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et mansorum edificia, sinunt non absque grandi scandalo deformari ruinis;—ordinamus quod prebende ecclesie nostre Sar' laicis, directe vel indirecte colore vel ingenio quesitis, nullo modo de cetero tradantur ad firmam, sed nec clericis, nisi venerabilium patrum predecessorum nostrorum editis in hac parte constitucionibus obseruatis, quibus vastum vel exilium[1] in rebus vel personis facere non liceat quoquomodo; sed nec ipsis prebendariis eciam grossum meremium[2] dare vel vendere, nisi prius licencia super hiis a presidente et Capitulo petita pariter et obtenta.

Canonici possunt in prebendis suis vendere siluam ceduam sine licencia Capituli.

Ad illa tamen, que Canonicus per se egerit in hac parte, siluam ceduam, vel arbores illas, que juxta communem vsum patrie vastum non sapiunt, prohibicionem non extendimus antedictam. Est eciam racionabile et honestum sicut cause indicant supradicte, quod Canonici ecclesie nostre predicte concanonicos et confratres suos ceteris preferant in firmis huiusmodi dimittendis, cum ipsi veluti dicte ecclesie filii velint et debeant affectione naturali vrgente, pocius quam exteri premissis mederi;—que huiusmodi prebendariis, et eorum procuratoribus, cum facultas se obtulerit, intimentur.

§ XIX. *De reparacione defectuum in prebendis.*

Decanus et Capitulum statuerunt, episcopo non presente.

Olim Petrus Decanus et Capitulum Sar' prouide statuerunt, vt Canonici Sar' defectus in suis prebendis supplere, dum superstites fuerunt compellerentur pocius quam post obitum eorundem. Quam quidem ordinacionem iam nostram facimus, et obseruandam in posterum approbamus, ex hac nostra ordinacione adicientes eidem, quod

[1] *Vastum vel exilium*: *i.e.* waste, or damage and spoiling. *Exilium*, destructio. (Du Cange; cp. Fr. *essiler* and *essilier*, to squander.) Fleta says that "vastum" and "destructio" are almost the same thing, and are applied to houses, gardens, woods, etc.; but "exilium," in law, is also where enfranchised servants are unlawfully turned out of their tenements.

[2] *Grossum meremium*: large timber-stuff for building. Various

and the buildings belonging to priests' houses to be disfigured by ruins, not without grave scandal:—We ordain that the prebends of our Church of Salisbury are in no wise for the future to be leased for farming to laymen, directly or indirectly sought under any cover or pretence, nor for that matter to the clergy, except under due observance of the ordinances to this effect set forth by the venerable fathers our predecessors, forbidding them to allow waste and damage of any sort in property or person; and that prebendaries themselves are not to grant or sell large timber except leave thereto be first requested and likewise obtained from the President and Chapter. But we do not extend the aforesaid prohibition to acts which a Canon has done on his own responsibility in this matter, *i.e.* to wood ripe for felling and to trees which, according to the common custom of our country, do not constitute waste. And it is both reasonable and honourable on the above-mentioned reasons to show that the Canons of our Church aforesaid should give the preference to their fellow-Canons and brethren in granting leases of farms of this kind, since as sons of the said Church they desire and are bound by natural affection, rather than aliens would, to remedy the aforesaid defects. And let this order be made known, as opportunity offers, to the prebendaries and their proctors.

§ XIX. *Of the repair of defects in prebends.*

In former days Peter, Dean,[3] and the Chapter of Salisbury, to make provision for future needs, decreed that the Canons of Salisbury should be compelled to make good the defects in their prebends during their own lifetime rather than after their death. This ordinance we now adopt, and we approve of its observance for all time to come, adding to it (as the result of this our ordinance)

forms of this word are found, *e.g.* meremium, marienum, materium, materiamen, etc., the root being the Latin *materia.* Hence the Fr. *marrein, meresme, bois de maronge;* cf. Lex Salica, Kern, *s.v.*, and Du Cange, *s.v.* "Materia." (*J.*)

[3] Peter de Sabaudia (Savoy), Dean 1298-1308

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quandocunque cuiuis placuerit prebendario, suis sumptibus et expensis, per Capitulum taxatores emittantur, qui taxatis defectubus in prebenda dicti prebendarii tunc viuentis, habita consideracione inter cetera ad domos pro ipsa prebenda necessarias et non superfluas, † taxacionem ipsam ad Capitulum referant, super qua statim et sine difficultate fiat ipsi prebendario memorialis scriptura, que taxacionem et summam contineat antedictam cum Decreto interponendo, vt ad eam et non vltra, pro defectibus ipsam taxacionem precedentibus, prebendarius huiusmodi teneatur; et si idem prebendarius antequam decedat vsque ad taxatam summam huiusmodi defectus suppleri fecerit antedictos, hoc de plano apparente, sui testamenti executores ab huiusmodi taxacionis et quorumcunque supplendorum defectuum onere penitus absoluantur; nisi forte eciam preter hec alii noui post dictam taxacionem appareant defectus, ad quorum nihilominus supplecionem merito debeat dictus prebendarius, seu executores sui nomine ipsius, teneri. In quibus tamen, seruato modo predicto, non condempnentur, si huiusmodi subsequentes defectus idem prebendarius ante mortem suam taxari procuraverit et suppleri; Premissis in forma predicta tociens innouandis quociens presidens et Capitulum super hiis ex parte prebendarii fuerint requisiti. Verum si in prebenda cuiusvis Canonici per ipsius neccligenciam hoc fieri taliter minime procurantis, reperti fuerint notabiles, ponderatis premissis, fortasse defectus, ad eorum supplecionem Canonicus huiusmodi per presidentem et Capitulum efficaciter compellatur, prouiso ut successori Canonico nichil pro defectubus ullo tempore persoluatur, nec de bonis aliquibus dictum defunctum contingentibus aliquid dimittatur, nisi tunc demum cum sufficientem prestiterit, iudicio Capituli, caucionem, quod

† f. 10b = p. 32.

Canonici debent transmitti ad taxand' defectus in prebendis.

Taxatores debent referre Capitulo in reuentu.

Modus bonus est.

N.B. pro nouis defectibus contingentibus.

Nota quod pecunie recepte a canonico mortuo pro reparacione sue prebende per successorem debent expendi circa reparaci-

that whenever any prebendary thinks fit to have it so done, surveyors shall be sent out by the Chapter at his expense and charge, who after assessing the defects in the prebend of the said prebendary then living, after paying careful attention among other details to the houses necessary to the prebend in question and not superfluous, shall make a return of the actual assessment to the Chapter, upon which at once and without let or hindrance a memorial in writing shall be issued to the said prebendary, containing the assessment and the sum-total aforesaid (with a decree enclosed therewith), that the prebendary shall be liable for it and no more, namely, the assessment for the foregoing repairs; and if the said prebendary before he dies shall have completed the repair of the defects aforesaid up to the amount of this assessment, this being made quite clear, the executors of his will shall be wholly discharged from the liability to make good all further defects whatsoever; unless by any chance other and fresh defects besides those arising after the said assessment come to light; for the repair of which notwithstanding the said prebendary, or his executors in his name, ought properly to be liable. In their case, however, following the procedure aforesaid, they are not to be condemned if the prebendary in question has before his death taken measures to have these subsequent defects assessed and made good, the injunctions aforesaid being capable of modification whenever the President and Chapter receive a requisition on such points at the instance of a prebendary. But if in the prebend of any Canon whatever, through his negligence in omitting to take adequate measures for this course to be carried out in this way, there chance to be hereafter found considerable defects, though the foregoing injunctions have been well weighed, the Canon in question shall be effectually compelled by the President and Chapter to make them good, provided that nothing shall be paid over to the succeeding Canon on account of repairs, nor shall any deductions be made from any property belonging to the said deceased Canon, unless and until he supply a guarantee, which the Chapter thinks sufficient, that he will spend all that he

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onem defectuum, et non aliter.

Modus procedendi in isto negocio.

quicquid sic receperit conuerti faciet in supplecionem defectuum predictorum, raciocinium inde fideliter coram Capitulo redditurus, cum super hoc per illud fuerit premonitus. Cum autem ad taxacionem huiusmodi in prebendis canonicorum cedencium vel decedencium fuerit procedendum, ipsis cedentibus, vel decedencium executoribus, vel ipsorum successoribus in prebendis ad hec instantibus de cetero taliter obseruetur, videlicet quod parti instanti citacio, trium mensium spacium non excedens, * per Capitulum concedatur, ad citandum executores vel partes huiusmodi non instantes specialiter, et omnes alios quorum interest generaliter, citacionis edicto in ecclesia nostra Cathedrali Sar', et prebendis de quibus agitur, et in locorum parochialibus ecclesiis, diebus dominicis et festiuis cum presens fuerit populi multitudo si in nostra diocesi huiusmodi prebende consistant, si extra, tunc in ecclesia Cathedrali predicta duntaxat publice proposita, et ipsius citacionis copia in stallo eiusdem prebende dimissa, quod faciende taxacioni huiusmodi per deputandos a Capitulo taxatores, si voluerint, intersint, taxacionem ipsam visuri, proposituri, et ostensuri, summarie et de plano et sine strepitu et figura iudicii quicquid sibi viderint expedire. Quibus iuxta huiusmodi citacionis affectum minime comparentibus, ad taxacionem inuentarum defectuum nichilominus procedant taxatores predicti obseruatis considerationibus superius annotatis, qui absque more diffugio predictum Capitulum certificent, per suas literas patentes et clausas, defectus compertas, et ipsorum taxationem, quidque in premissis fecerint, distincte et fideliter continentes, ut si quid in ea parte fuerit moderandum, illud iudicio Capituli moderetur, servata in moderamine huiusmodi equitate pocius quam rigore.

* f. 11 = p. 33.

Citacio trium mensium ad maximum per Capitulum concedatur.

Hec citacio fiet in ecclesia Cathedrali Sar' et in prebenda.

Et ibi procedendum est summarie et de plano.

Et si executores non venerint, nichilominus fiet processus.

Omnia debent fieri iudicio Capituli.

N.B. ex causa.

[1] The Vicars of absent Canons were responsible for forwarding the

then receives on the repair of the defects aforesaid, and is prepared to hand in a faithful account thereof in the presence of the Chapter, when he has received due notice from the Chapter. But when proceedings have to be taken to survey in this way the prebends of Canons on retirement or death, in the case of the Canons themselves retiring, or of the executors of Canons deceased, or of their successors in prebends pressing for such procedure, the following method shall be observed for the future, viz. that to the party taking action a citation be granted by the Chapter, not exceeding the space of three months, to cite particularly the executors and such parties as do not apply, and in general terms all other persons who are interested, by an edict of citation in our Cathedral Church of Salisbury and in the prebends particularly concerned, and in the parish churches of the places in question, upon Sundays and feast days when large numbers of folk are present, if these prebends are within our diocese; and if they are outside its limits, then in the Cathedral Church aforesaid only, that is, after this citation has been posted in the public view and a copy thereof left in the stall of the same prebend,[1] so that the assessors appointed by the Chapter for making such a survey, and shall be present, if they desire, to inspect and publish the survey and shall show forth summarily and clearly, and without quibbles or legal forms, whatever they see to be expedient for them. If any do not appear in accordance with the tenor of this citation, the surveyors aforesaid are to proceed notwithstanding to the survey of the defects discovered, paying due heed to the points noted above, and they are, without evasion or delay, to certify the Chapter aforesaid, by their letters either open or sealed, setting forth clearly and faithfully what defects they have discovered, and their estimated cost, and what they have done in the premises, in order that, if any alteration is to be made in this behalf, it may be made by the decision of the Chapter, equity rather than strict justice being observed in such alterations.

citations (thus left in the stalls) to "their masters the Canons." (See above, pp. 77 (§ 8), 168; *Osmund Register*, R.S., ii. 21.)

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Caveant preterea huiusmodi successores ne sub quouis colore quesito mobilia que in ipsa prebenda contigerit inueniri, sua auctoritate, ne "temeritate" dicamus, presumant quomodolibet occupare; quod si forte presumpserint attemptare, ab administracione illorum, que alias ad ipsos juste poterint peruenire, maneant presentis constitucionis auctoritate suspensi, donec dimittant libere taliter occupata, et tantumdem de suo conferant in ecclesie nostre Sar' fabrice subsidium convertendum. Expedit namque ut eorum audacia rigore justicie refrenatur, qui ad indebita manus suas extendere non verentur.

Nota pro ammocione vel detencione immobilium in prebendis: quid fiet.

§ XX. *De firmis ad Communam spectantibus, et faciendis solucionibus pro eisdem.*

† Quia iuxta antiquam et laudabilem ecclesie nostre Sar' consuetudinem, firme ad communam Canonicorum spectantes, que nullo modo personis extrinsecis tradi debent, dum eas voluerint Canonici eciam non residentes acceptare, non prout prius vel posterius residenciam facere inceperunt, sed prout ante diem vacacionis firme residenciam quandocunque inceptam inuenti fuerint fecisse tempore longiorem, sub antiqua et certa pensione dimitti priscis temporibus consueuerunt, preoptentis, si quas habuerint, firmis huiusmodi, aliis optantibus prout magis resederint assignandis; Nos, Rogerus, Episcopus supradictus, de consensu dictorum presidentis et Capituli, tam laudabilia, ut tenemur, approbantes, statuendo ordinamus, ut consuetudo premissa, omni fauore semoto inuiolabiliter futuris et perpetuis temporibus obseruetur. Et si quid in contrarium fieri contigerit in futurum, illud, presentis constitucionis auctoritate ex nunc, prout ex tunc, omni careat robore firmitatis. Illi vero qui iam sunt adepti

† f. 11[b] = p. 34. Canonici non residentes debent preferri laicis in tradicione firmarum as communam spectancium.

Istud statutum de voluntate Rogeri episcopi nunquam deberet mutari.

Moreover, successors must take care not to presume to detain under any pretence whatever, by their own authority (let us not say by their rash conduct), any movable chattels that happen to be found on the prebend; but if they have presumed to lay hands on any such, they must remain suspended, by the authority of the present constitution, from the administration of matters which otherwise would properly have come to them, until they freely give up the property thus seized and pay a like sum from their own purse, to be converted into a subsidy to the fabric fund of our Church of Salisbury. For it is fitting that their unseemly boldness should be curbed by the strong hand of justice, seeing that they are not afraid to stretch out their hands to property not due to them.

§ XX. *Of the farms which belong to the Common Fund, and of terminal payment upon leases for the same.*

Seeing that, according to the antient and commendable custom of the Church of Salisbury, the farms belonging to the Common Fund of the Canons (which never ought to be let to strangers, so long as even non-resident Canons wish to take them) have customably in olden time been leased out for an old-established and settled payment, while such farms (if any) as they previously secured are to be assigned to others who exercise their option, according to the length of residence that each has kept, not according to the dates, earlier or later, on which they respectively began to keep residence, but according to the duration of time for which they severally have been found to have kept residence before the day on which the farm was vacated, at whatsoever time their residence may have begun; We, Roger, Bishop aforesaid, by consent of the said President and Chapter, approving (as we are bound to do) of regulations so commendable, do ordain by statute that this said custom be observed, without respect of persons, for all time to come. And if anything chance in future to be done to the contrary, it shall for the future as for the past, by authority of this present constitution, lack all force of confirmation. Those,

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firmas huiusmodi, et quos continget assequi eciam in futurum, statutis ad hec in ecclesia terminis,—quorum *Primus* est primus dies mensis Octobris, cum fructus firme fuerint in orreis congregati, *Secundus*, primus dies mensis Januarij, *Tercius*, primus dies mensis Aprilis, *Quartus*, primus dies mensis Julij,—satisfaciant plenarie pro eisdem, nulla retencione vsuri nomine debita sibi, commune. Alioquin, firmas dimittere teneantur obtentas, que aliis tradantur, qui sub simili pena velint et valeant obseruare plenius supradicta, sub competenti inde exponenda, prout presidenti et Capitulo expedire videbitur, caucione, que in scriptis redacta, statum quo firmas huiusmodi receperint et quo eas tenere debeant, contineat seriose. Et quia quod omnes communiter tangit debet ab omnibus approbari,[1] statuimus, vt non tantum in vno, sed in omnibus locis ad communam spectantibus, saltem de triennio in triennium videantur defectus, et in illis duntaxat locis * absque personarum accepcione ex facienda super hoc ordinacione presidentis et Capituli, talia edificia, communibus sumptibus, cum opus fuerit, noua fiant, que pro locis ipsis necessaria et non superflua debeant reputari. Vetera uero utilia et locis necessaria, que absque nova construccione sustentari possunt, sustineat pro suo tempore suis sumptibus firmarius eorundem; Inutilia uero superflua et non necessaria, iudicio Capituli, cum visa fuerint, prosternantur, iuribus et libertatibus firmarum huiusmodi per ipsorum firmariorum diligenciam, sumptibus etiam si oporteat communibus, manutenendis pariter et tuendis. Et quia Canonici residenciam, de qua premisimus commode facere nequiunt in ecclesia supradicta, nisi de debitis sibi ea racione communa et distribucione statutis ad hoc terminis competenter respondeatur eisdem,

Termini soluci-onis firmarum. Pena non soluencium in terminis statutis.

Defectus in firmis commune debent videri quolibet termino.

* f. 12 = p. 35.

Que pertinent reparanda ad firmarium.

Defensio iurium firmarum pertinet ad Capitulum.

[1] See above, cap. iv. (p. 150).

however, who have already acquired such farms, and who shall happen to come into possession at the terms fixed for this purpose in the Church in time to come—whereof the *first* term or date is the first day of the month of October; the *second*, the first day of the month January; the *third*, the first day of the month April; the *fourth*, the first day of the month July,—they are to pay full consideration for the same to the Common Fund, keeping back no payment as being due to themselves under the name of interest. Otherwise they shall be liable to give up the farms which they have secured; and these shall be handed over to others who shall be willing and able, under a like penalty, to observe the regulations fully described above, subject to such sufficient payment therefrom as caution-money, as shall seem proper to the President and Chapter. This bond, being reduced to writing, shall contain in detail a statement of the state in which they have received such farms, and in which they ought to keep them. And inasmuch as that which touches all in common ought to be approved by all, we decree that not in one place only, but in all places belonging to the *Communa*, a survey of defects be made at least every three years, and in those places at any rate without respect of persons in accordance with a resolution of the President and Chapter on this subject, such buildings as ought to be considered necessary for these places, and not superfluous, shall be renewed at the common charges whenever need arises. As for old buildings which are useful and necessary for the holdings, and which can be kept up without fresh construction: the farmer shall keep them up for his time [of occupation] at his own expense; but useless and superfluous and unnecessary buildings (when such they appear to be, in the judgement of the Chapter) shall be pulled down, the rights and liberties of farms of this kind being maintained and guarded by the exertions of the farmers themselves, even, if it must be so, at the common charge. And since Canons are unable to carry out the residence, on which we have given directions, in the Church aforesaid, unless a proper contribution is given them on the dates appointed by statute

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Nota de solucione Canonicis.

statuto adicimus antedicto, quod futuris et perpetuis temporibus communarius, si quis forte ex Canonicis fuerit, sub debito iuramenti ecclesie prestiti, Alius uero non Canonicus sub iuramento in sua admissione, super hec inter alia prestando specialiter oneretur, vt cum in principio cuiuslibet termini percipere debeat communarius predictus a singulis firmariis id quod pro firmis huiusmodi tunc debetur, ex quo recepto, Canonicis et vicariis per totum sequentem tunc terminum communa debetur, eo termino ex toto elapso, ad minus infra octo dies principium alterius termini immediate sequentis, de sic receptis, distributis, et expenditis, in Capitulo suum compotum ita reddat, quod tunc ad ultimum,—si antea non fecerit,—quatenus ad suas peruenerit manus de firmis ipsis et aliis prouentibus ecclesie singulis Canonicis et vicariis, sine accepcione personarum persoluat equaliter, iuxta status sui exigenciam quod debetur, et integraliter in capite sui compoti oneratus, nomina non soluencium ad sui exoneracionem tradat super compotum antedictum, designans specialiter quantum debet † quilibet debitorum, vt contra eos et eorum singulos, ea que circa hec pro communi vtilitate superius sunt statuta, ex tunc efficaciter obseruentur. Communarius vero premissa non obseruans post finitum compotum nullam in hac parte allocacionem consequatur; qui in compoto in principio mensis Octobris annis singulis, vt est dictum, reddendo quantumcunque negocia bene gesserit communia, actualiter officio suo cedat, eo iterum, vel alio, ad illud officium exercendum, in forma predicta, prout Capitulo placuerit, eligendo.

Nota quod communarius tenetur soluere simplicibus Canonicis et vicarijs in principo cuiuslibet termini, vel infra viij dies.

Communarius tenetur † f. 12b = 36. tradere Decano et Capitulo nomina debitorum.

Pena communarij non obseruantis statutum.

for this out of the sums due to them on this account from the *Communa* and the Distribution, We add to the statute aforesaid, that in all times to come the Communar (if he be one of the Canons, under the obligation of the oath taken to the Church, or if he be some other person not a Canon, then under an oath taken at his admission to office) shall specially charge himself with guaranteeing the following among other duties, that, when at the beginning of each quarter the Communar aforesaid shall receive from every single tenant that which is then due for farms of this kind (from which sum received the *Communa* is due to Canons and Vicars for the whole of the quarter next ensuing), then when the quarter has fully come to an end he shall in Chapter put in his account of the sums received, distributed, and disbursed, within less than eight days immediately following the beginning of the next quarter, on such terms that then at the last, if he have not done it earlier, so far as the money comes into his hands, he shall pay in full, justly and without respect of persons, to each Canon and Vicar the sum due to each in consideration of the requirements of his dignity out of his farms and other income of the Church; and being debited in full at the head of his account, he shall obtain a discharge from the same by producing in his account for the audit the names of those who have not paid, and it must point out specifically how much each of the debtors owes, in order that against them and each of them singly, the statutes previously enacted for the common welfare in these matters may thenceforth be effectually observed. A Communar who does not observe the foregoing injunctions, after closing his account, shall receive no contribution on account thereof. The Communar on giving in his account at the beginning of October every year, as aforesaid, however well he has managed the common business of the Chapter, shall genuinely retire from his office. Then either the same official for the second time, or some one else, shall be appointed to carry out the duties of the office in the form aforesaid, as the Chapter shall decide.

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§ XXI. *De jurisdiccione Canonicorum.*

Statutum P. [de Sabaudia] Decani.

Institucionem, quam pie memorie Osmundus super iurisdiccionem Canonicorum in prebendis suis antiquitus introduxit, in congregacione supradicta Petri, Decani, per Capitulum approbatam, innouantes, statuimus, ut ipsius tenore et effectu plenius obseruato, Canonici jurisdictionem suam integraliter exequantur, exceptis quibusdam Prebendariis in quorum prebendis et parochiis, et parochianis earum, predecessores, et precessores[1] nostri, iurisdiccionem omnimodam, locorumque Archidiaconi ac predecessores, et precessores[1] eorum, Archidiaconalem consueuerunt exercere, et exercuerunt actualiter iure suo, a tempore et per tempus cuius principii memoria non existit. Nosque, et locorum archidiaconi, nostris temporibus exercuimus iure nostro, sicut in aliis parochialibus ecclesiis nobis immediate subiectis, quam quidem iurisdictionem, ut premittitur, volumus et statuimus in futurum esse per Nos et successores nostros, et locorum archidiaconos, qui pro tempore fuerint, exercendam.

Que est ista integralis jurisdictio;

§ XXII. *De indulgentiis pro fabrica publicandis.* †

† *This rubric is slightly cancelled in* MS. E.

Orbis factor, cui nihil difficile nihil ue impossibile esse potest, miro ordine, miroque ministerio bone memorie Ricardi, quondam Sar' episcopi, predecessoris nostri ecclesiam nostram ab angusto cesaris burgo,[2] apud quem sub nimia seruitute per tempora longiora visa fuerit ancillari, ad speciosum transferens amenitatis campum, in quo desiderata diu libertate * jam potitur erecta, opus suum, quod circa hec operatus est in nobis, vt premissum

The entire chapter is omitted in MS. "Constitutiones."

* f. 13 = p. 37.

[1] "*precessores*": MS. E. (*bis*).

[2] "*cesaris burgo*": that is, Sares-berie (or Old Sarum) from an old and fanciful conceit as to its probable derivation. (*J.*) See also cap. xxv. p. 204, below.

§ XXI. *Of the Jurisdiction of the Canons.*

Renewing a regulation which Osmund of blessed memory long ago brought in, respecting the jurisdiction of Canons in their prebends, approved by the Chapter in the congregation aforesaid of Peter, the Dean,[3] we decree that, to preserve fully its tenour and effect, the Canons shall exercise their jurisdiction undiminished: excepting certain prebendaries, in whose prebends and parishes, and over whose parishioners their predecessors and ours have been wont to exercise plenary jurisdiction, and where the archdeacons of the places and their predecessors, and the predecessors [of such prebendaries] have been wont to exercise archidiaconal jurisdiction, and have actually exercised it by this their right from a time further back than the memory of man. And we and the archdeacons of the places have in our times exercised it by our right, as in other parish churches under our immediate authority, which jurisdiction we desire and decree (as aforesaid) to be exercised for the future by us and our successors and the archdeacons of places for the time being.

§ XXII. *On Indulgences published for the Fabric Fund.*

The Creator of the World, for Whom nothing can be too hard and nothing can be impossible, did by the wondrous method and the admirable ministry of Richard of blessed memory,[4] formerly Bishop of Salisbury, our predecessor, remove our Church from a cramped Sarisberie (or Cesar's burgh) where it had seemed for long years to be domiciled in the lowly guise of a handmaiden: He brought it even to the larger room of a fair maid of exceeding beauty, wherein having now been builded it enjoys the liberty which had so long been hoped for. This work which He had so begun and thus hath wrought

[3] Peter of Savoy, Dean, 1298–1308.

[4] Richard Poore, the founder of the present Cathedral at Salisbury, had been Prebendary of Charminster and Dean of Sarum 1198–1215. After a brief episcopate at Chichester, he returned as Bishop of Sarum 1217–29. He was translated to Durham.

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Ecclesia fuit consummata in xxx^ta annis.

est, inceptum, infra triginta annorum curricula, sua admirabili potencia compleuit, secundum scripturas inde confectas, et prout super hiis habet fida relacio antiquorum. Quanta igitur deuocione afficiebantur ad eam, quantoque ardenti desiderio ad ipsius complecionem, tam celebris memorie Henrici Regis,[1] qui primum lapidem posuit in fundamento eiusdem, quam eciam dicti Episcopi et aliorum predecessorum nostrorum, quorum temporibus hec taliter sunt peracta, spiritus ferebantur, nullus ambigit sane mentis qui premissa debite consideracionis oculis intuetur. Nunc itaque reprehensibile nimis foret, si, quod absit, circa conseruandam dicte ecclesie fabricam que inter alias regni ecclesias velud sidus irradiat matutinum,[2] in nobis qui nunc in ea sub Dei et gloriose Virginis, patrone nostre, proteccione congregamur, sibi locum (quod absit) ignauia vendicaret, presertim cum ad conseruacionem huius totis teneamur viribus laborare. [3] "Verum quia multorum in populo, qui ad hec manus consueverunt apponere frequencius adiutrices, iam refrigescit caritas, [et] cessat deuocio," dum [4] a frequencia illius amplius solito

Henricus 2^dus ['immo, 3^ius '] posuit primum lapidem in fundamento ecclesie.

[*This reference to the B. V. Mary is left uncancelled.*]

[1] King Henry III. The first stone of Salisbury Cathedral had been laid on St. Vitalis' Day, 28th April, 1220. Three altars were dedicated on the 28th September, 1225, and service in the *Salve*, or Chapel of the Blessed Virgin, was begun on the 29th. The Church having been extended westward, the high altar was dedicated by Boniface, Archbishop of Canterbury, at Michaelmas, 1258. The completed Church was dedicated on the Annunciation, 25th March, 1260. The Cloisters and Chapter-house, begun in 1263, were finished in 1284. In 1328 King Edward III. granted the stone from the Norman Cathedral of Old Sarum for building Salisbury tower and the Close wall. The detached belfry was begun in 1334 by Richard of Farley, who also (as Mr. Dorling tells us) was the chief builder of the tower and the spire, which was completed towards the middle of the fourteenth century. (E. E. Dorling, *Hist. of Salisbury*, 1911, pp. 57, 71.)

[2] The "Illustrious Church of Sarum." (See pp. 90, 202, and the preamble to Bishop Jewel's ordinances of A.D. 1562, and compare Bradshaw and Wordsworth's *Statutes*, iii. p. 357.)

[3] "Verum quia . . . exclusis." This passage of thirty lines reappears in the *Novum Registrum* prepared for Lincoln by their Bishop, W. Alnwick, in 1440. (See Bradshaw and Wordsworth, *Lincoln Cathedral*

in us, our God hath finished, by His marvellous power within the space of thirty years, according as the records written concerning it relate, and as the faithful narrative by those of old time runs.

With what devotion they were filled towards this Church, and with what eager desire for its completion the spirit of King Henry of famous memory was moved (who laid the first stone in its foundation), and the spirits of the said Bishop and other our predecessors, in whose times the building was then completed, is doubted by no man of sane mind who looks as he ought on the aforesaid record with observant eyes. In these days, therefore, it would surely be most blameworthy, if (which God forbid!) in the matter of preserving the fabric of the said Church which shines among the churches of the realm like the morning star, in our days for us who now are gathered within it under the protection of God and the Glorious Virgin our Patron, slackness should claim a place for itself among us, especially as we are bound to toil with all our strength for the preservation of the same. But because in the case of many among the laity who have hitherto been wont to set helping hands again and again to these works, charity is waxing cold and devotion waning, while they, withdrawing themselves, more than used to be the case, from frequenting the Cathedral, in these days devote themselves and their

Statutes, iii. 357–8.) Among the lay folk, among whom so many contributed to the building of the Cathedral, the names of William Longespé and his noble Countess Ela who laid foundation stones, Alice Briwere (wife of Roger de Cole), who gave the marble for twelve years from her quarry of Downshay in Worth Matravers, in Purbeck, and Herbert de Burgh, Justiciar of England. Nor must we forget Robert the mason (*cementarius*), who carried on (*rexit*) the work for twenty years, and carried it on after the chief *rector fabricae*, Elias de Derham (of Dyrham, Glouc.), Prebendary of Pottern, an architect of European fame, though still supervising here, had gone with Bishop Poore to Durham in 1229. The name of Richard of Farleigh is associated with the crowning work of the spire, added a century later, when the tower was raised and the Close wall built and embattled.

[4] "Refrigescit caritas et iam cessat deuocio": *Novum Registrum Lincoln*, particula v. The words "dum . . . . et sua" do not occur in the Lincoln book, and some of the other sentences naturally differ for local reasons.

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iam subtracti ad multiplicata ceterorum oratoria [1] erigenda, non absque cathedralium et parochialium ecclesiarum detrimento, hiis diebus applicant se et sua. "Nos priorem populi devocionem simul et caritatem, ad subvencionem premissam compellimur, quantum in Domino possumus, excitare. Qua propter statuimus et ordinamus, vt futuris et perpetuis temporibus indulgenciarum munera, huius rei gracia, tam a sanctis patribus predecessoribus nostris, quam aliis Episcopis Catholicis fidelibus populis concessa, in dicta ecclesia nostra Sar', aliisque singulis in locis, ciuitate, et dioces' vbilibet constitutis, per singulos dies dominicos, a prima dominica Quadragesime usque ad octabas Pasch' inclusive, per emittendos † in hac parte a Presidente et Capitulo [2] nuncios, et mandata, annis singulis solempnius publicentur. Quibus eciam clerum et populum moneri crebris exhortacionibus moueri § volumus et induci, ut, pristina devocione resumpta, prefatam frequentando ecclesiam, ipsius fabrice, tam in vita quam etiam diebus suis ultimis, de bonis sibi a Deo collatis studeant ut, boni ecclesie filii subvenire. Indulgentias non tantum predictas, sed eciam quadraginta dierum, quas et Nos supradictus Rogerus, Episcopus, illis concedimus, alias huius rei gracia concessas canonice confirmando, in suorum remissionem peccaminum habituri, aliis questoribus

Indulgencie Sanctorum patrum.

† f. 13b = p. 38.

§ (*forsan legendum* "moneri.")

Questores excluduntur.

[1] *Oratoria ceterorum.* We may judge from their registers that, in the XIIIth century, Bishops and Popes were somewhat chary and reluctant about granting licences to noble personages, lords of manors, or even to convents of religious persons and friars to hear divine service in an oratory or private chapel. Such licences became frequent about 1330, Sir T. Phillipps' list, from Salisbury Episcopal registers, *circ.* 1332–1504, shows that Bishop Ro. Wyvill granted as many as 32 in one year (1343), some of these being inclusive of more oratories than one. Some were granted for a year or more, some for life or in perpetuity. We find the following among the rest:—

1343. To Edith Pikot, at Wilton.

1344. To H. Russell, at New Sarum.

property to the erection of numerous oratories of other persons, not without loss to the Cathedral and parish churches, we are constrained, as far as we can in the Lord, to rouse the former devotion and charity of the laity to provide the aforesaid contribution. Wherefore, to secure this end, we decree and ordain that in time to come for ever the grants of indulgences, which were given to the laity as well by the holy fathers, our predecessors, as by other faithful Catholic bishops in our said Church of Salisbury, and in all other places whether of civil or ecclesiastical constitution, be solemnly published every year on every Sunday from the first Sunday of Lent to the Octave of Easter inclusive, by Commissioners sent out by the president and Chapter in this matter, and by mandates. Whereby it is our pleasure that both clergy and laity be moved by incessant exhortation and persuaded to resume their former devotion, and by frequenting the Church to be eager to come (as good sons of the Church) to the aid of its fabric out of the good things bestowed on them by God, as well in their life as in their last days. They shall have not only the indulgences aforesaid, but pardons of forty days in addition, which we, Roger, the aforesaid Bishop, do grant to them, confirming those which have been granted on other occasions for this intent, for the remission of their

1346. To Richard, Hermit of Fisherton, Chapel of St. Anne; Thomas hermit there in 1397, to celebrate service with the Vicar's consent.

1346. Edmund de la Beche, Archdeacon of Berks, in his rectory at Ramsbury.

1347. Kath. de Montacute, Countess of Salisbury.
To T. Cogun, in his prebendal house at Slape.

1354. Stephen Criour and Edith his wife, in their house at Fisherton.

1386. Dec. 1st. An oratory within the Close forbidden. (*Regist. Ra. Ergham*, f. 55.)

1391. A general monition concerning an indulgence for the Chapel of St. Mary over the east gate of the Close (St. Anne's gate), *Regist. Waltham*, part ii. fo. 13.

[2] "a prefatis magistris fabrice": *Nov. Reg. Lincoln.*

[3] *Indulgenciarum munera.* A list of upwards of 200 Pardons or Indulgences, granted in connexion with the Church and Diocese of Salisbury, was printed in 1913 in *Wilts. Archæol. Soc. Magazine*, xxxviii. pp. 15–33.

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undecunque venientibus per idem tempus suspensis penitus et exclusis."[1] Illis autem in hac parte dandi licentiam, absque nostri Capituli consensu expresso, nobis simul et nostris successoribus, quantum in nobis est volumus, fas non esse. Qui vero in premissis aut aliis quibuscunque prefate ecclesie nostre legatis datis, vel etiam quocunque justo titulo assignatis, seu in posterum assignandis, fraudem commiserint sive dolum, iura, dicte ecclesie et potissime oblationes pentecostales, et alia que ad fabricam ejus quandocunque legata vel assignata detinuerint, libertatesue ipsius infringere aut minuere presumpserint, et debita sibi non reddiderint post publicacionem presencium infra tres menses proxime subsequentes, maioris excommunicacionis sentenciam a predecessoribus nostris frequenter, et tandem per Nos, publice et sollempniter in hac parte prolatam, intelligimus incurrere ipso facto; que omnia similiter, et canones late alias sentencie, non tantum bis in anno sed quociens expedire videbitur, volumus et precipimus per supradictos Presidentem et Capitulum[2] in dicta nostra Sar' Ecclesia, aliisque locis memoratis sollempnius publicari, ut ex tunc contra presumptores huiusmodi viis et modis quibus convenit specialius procedatur, ut qui sentenciam ipsam qua ab * unitate preciduntur ecclesie, dum contra eos in specie non proceditur, contempnunt, per publicaciones et faciendos processus specialius contra eos redire compellantur ad sancte matris ecclesie gremium, uel inuiti.

Nota quod detinentes legata vel data Ecclesie Sar' sunt excommunicati.

Nota quomodo detinentes oblaciones pentecostales sunt excommunicati.

Fractores libertatum ecclesie Sar' sunt excommunicati ipso facto.

Ecce, Decanus et Capitulum possunt publicare istud propria auctoritate.

* f. 14 = p. 39.

[1] See note 3, p. 197.

[2] It is remarkable that the Dean is not named here. He is, according to cap. xxvi., p. 208, "the immediate ordinary of the place," although the Subdean executed duties as to probate of wills: the matter there under consideration. It was stated by Bishop E. Denison, in answer to the Cathedral Commissioners, 1st Sept., 1853 (shortly before his death), that "the present relation of the Diocesan to his cathedral is that of having extraordinary jurisdiction as Visitor, but not ordinary jurisdiction as Bishop. He has not, in consequence, any right to preach or to give any such directions as he might do in any other church in his diocese. Inconvenience arising from this is, of

sins—other deputed collectors, whencesoever they may come, being wholly inhibited and excluded during the said period; and so far as in us lies it is our intention that it shall be unlawful for ourselves or our successors to give leave to such other collectors except with express permission from our Chapter. As for those who in the forenamed or in any other office whatsoever of our Church to them granted or assigned, or hereafter to be assigned by any just title whatsoever, have committed fraud or deceit and have detained things belonging to the Church, and particularly have kept in their own possession Pentecostal offerings[3] or other gifts whencesoever devised or assigned to her fabric, or have presumed to infringe or weaken her liberties, and have not paid in what was due to them within three months immediately following the publication of these presents, We know well that they, *ipso facto*, incur the sentence of Greater Excommunication frequently pronounced by our predecessors, and now in these latter days publicly and solemnly proclaimed by Us; all of which regulations in like manner, and rules of a sentence passed at some other time, We desire to have solemnly promulgated by the President and Chapter aforesaid in our said Church of Salisbury and in other places already named, not twice a year only, but as often as it shall be deemed expedient, that from thenceforth proceedings against men thus presuming, may be taken by such special ways and means as may be fitly applied, in order that those who despise the actual sentence by which they are cut off from the unity of the Church (so long as proceedings are not taken against them specifically) may be compelled, by publications and processes at law specially taken against them, to return, however reluctantly, to the bosom of our Holy Mother Church.

course, more liable to be felt in proportion as the Bishop resides in his Cathedral." (*Answers from Bishops*, p. 592.) I presume that Bishop Osmund thought it best to give the Dean a free hand, thinking that he himself, notwithstanding his personal interest in Old Sarum, would often be called away, as statesman, commissioner for the Domesday Survey, kinsman of the King, and overseer of an unsettled diocese.

[3] On Pentecostal Oblations, see note [4] on p. 207.

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§ XXIII. *De prouenientibus ad tumbam Symonis.* †

† *This rubric is very lightly cancelled* in MS. E. *The entire chapter is omitted in* MS. "Constitutiones."

Ad tumbam bone memorie quondam Simonis, Episcopi Sar', predecessoris nostri, qui Nos precedens abiit, ne dicamus obiit, cuius memoria, prout nostra aliorumque plurium tenet fiducia ac crebra ad eam facta (ut nonnulli referunt) testantur miracula, in benediccione erit, fidelium deuotio cum illa muliere paupercula que in gazofilacium [1] misit duo minuta, quod iuxta Evangelium fuit quadrans, de bonis sibi a Deo collatis jam afferunt, prout eis ab alto fuerit inspiratum. Vnde Nos ad instar aliorum qui in similibus faciunt hiis similia que sequuntur, circa hec ad presens ordinamus, ut ipsius apud nos celebrior memoria habeatur, quod singulis annis, die qua illius anniuersarium celebratur,[2] quicquid obuenerit ad tumbam ipsam, in toto tunc transacti anni tempore, in duas partes equaliter diuidatur, cuius diuisionis pars una, inter illos Canonicos qui ipso anno resederint, ea consideracione distribuatur quo residuum commune distribui in ipsa ecclesia hactenus consueuit, hoc tamen seruato moderamine, quod alicuius inde perceptum non dupletur; Reliqua vero parte obuencionum earundem, salvo per Capitulum conseruanda, donec lucerna illa que sub modio adhuc in terris fumigat, cum placuerit altissimo, super excelsum candelabrum collocanda, lucens omnibus qui in domo sunt, ut desiderio desideramus immenso, suos, approbante ecclesia, diffundat radios, cum ingenti quod prestolamur gaudio, clariores.

("illius anniversarium celebratur" *drawn through with a pen.*) in anniuersario eius tantum percepit canonicus simplex quantum persone. Nota quoniam Episcopus dedit illam partem prebendam suam maioris altaris contingentem ad translacionem predicti patris.

[1] *Gazofilacium* (the Treasury). (See St. Luke xxi. 1, Vulgate.)

[2] "illius anniversarium celebratur" being drawn through in the text, the words "in anniversario eius" written in the margin may, conceivably, be a clumsy correction of the text; but more probably they form part of the marginal summary, which is earlier than the Protestant revision.

[3] This was Symon of Ghent (de Gandavo), who held the See of Sarum from 1297 to 1315. (See above, pp. 88–98.) His obit is entered

§ XXIII. *Concerning offerings gathered at [Bishop] Symon's Tomb.*

At the tomb of the late Symon[3] of blessed memory, Bishop of Salisbury, our predecessor who preceding us departed (that We say not "died"), whose memory,—as we ourselves and many besides are surely confident, and as the frequent miracles worked at his tomb (as some report) bear witness,—will be held blessed by the faithful, devotion is now shown similar to that of the poor widow who cast into the treasury two mites, which (according to the Gospel) made one farthing. Men now bring offerings of their substance wherewith God hath blessed them, as they have been taught by heavenly inspiration from on high: We, therefore, for the example of others in like circumstances, do likewise ordain as follows in this matter for the present (in order that his memory may be held in greater renown amongst us) that every year, on the day on which his anniversary is celebrated, whatever offerings have been made at his tomb in the complete period of the year then ended be divided into two equal parts, of which division one part to be .distributed on this consideration among the Canons who have resided in that year in which it has been customary to distribute the remainder of the common fund hitherto in the Church; guarding, however, this principle of equity, that the receipts of no Canon be thereby doubled; the remaining part of the same offerings being safely kept by the Chapter, until the lamp which till now is smoking on earth under the bushel, whensoever it please the Most High, set on a tall lampstand, giving light to all who are in the house, as we desire with a boundless desire shall, with the furtherance of the Church, shed abroad clearer rays to that great joy of ours for which we wait.

as on 2nd April in the Obit Kalendar which is prefixed to the Bishop's or Dean's Statute-book, MS. E., written *cir.* 1446–52, where the entry is, "de domibus, . . . vicario, ijd. Residuum canonicis." (*Salisbury Ceremonies*, p. 234.) The date is given as 3rd March in *Fasti Sar.*, p. 92. His gift of a purple and gold cloth, with a representation of the victory of St. Michael, is entered in the Inventory of 1536 (xviii. 3), *ibid.*, . 167.

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§ XXIV. *De confirmatis electis in Abbates et Abbatissas in Saresbir[iensi] Ecclesia benedicendis.* ‖

‖ *This rubric cancelled.*

† f. 14[b] = p. 40.

Pro capa :— *Chapter is omitted in* MS. "Const."

Confirmatur ista constitucio hic per Roger*um*.

Hic de capa conferenda ecclesie.

Constitucionem Synodalem qua cavetur ut electe persone in Abbates † et Abbatissas per diocesim, et deinceps eligende, munus benedictionis in ecclesia nostra Sar*um* percipiant, et consuetudinem quam usus approbavit antiquus favorabiliter persequentes, statuimus firmiter observandam. Consuetudinem vero qua, ad debitam subieccionem manifestius declarandam, capam chori competentem ecclesie predicte conferunt, et a diu contulerunt taliter benedicti, Nos, Rogerus, Episcopus supradictus, vt pote laudabilem approbamus, et precipimus, dictorum presidentis et Capituli grato concurrente assensu, obseruari diligencius in futurum ; quodque contradictores, si qui fuerint, vel rebelles desistere et consuetudinem obseruare predictam censura debita per Nos et successores nostros, si oporteat, compellantur. Nomina vero tam illorum quos sic contigerit benedici, quam et aliorum omnium conferencium dicte ecclesie nostre notabilia quevis bona, una cum sp[eci]e et qualitate collati, in ecclesie registro seriosius conscribantur, vt inter ipsius ecclesie benefactores ipsorum memoria specialius habeatur.

Pena non soluencium.

Nota quod fiet mencio in registro de sic collatis.

f. 14.

§ XXV. *De potacionibus pro antiphona que dicitur O Sapientia minime faciendis.*[1]

This chapter is omitted in MS. "Constitutiones."

Etsi olim dum Canonici et vicarii, in arto cesarisburgo[2] habitantes, absque laicorum tumultu, in unum de

[1] *Facienda* (*sic*), MS. E.

[2] See above, p. 194, *note*.

[3] *O Sapientia*, an antiphon : " O Wisdom which didst 'come forth out of the mouth of the most High' [*Ecclus.* xxiv. 3], 'reaching from the one end of all things to the other, and ordering them with sweetness and might' : [*Wisdom of Solomon* viii. 1] come, that Thou mayest teach us the way of understanding." This is the first of the set of greater antiphons to *Magnificat*, called the Greater Oes of Advent.

§ XXIV. *That Abbots and Abbesses elect are to receive Benediction in the Church of Salisbury after their appointment has been confirmed.*

We decree that the synodical regulation whereby it is prescribed that persons elected, or hereafter to be elected to the office of Abbot or Abbess,[a] in the diocese, are to receive the gift of being blessed in our Church of Salisbury, must be steadily observed, in favourable pursuance of such custom as ancient usage has approved. Further, We, Roger, Bishop, aforesaid, do approve, as wholly praiseworthy, the custom whereby (to declare their due submission) they who are thus blessed do bestow, and for many years past have bestowed, a suitable choral cope upon the Church aforesaid, and we direct that with the welcome concurrence of the said President and Chapter this custom be diligently observed in time to come; and that gainsayers, if there be any, or rebels, be compelled, if need be, to submit and to observe the aforesaid custom by due censure pronounced by us and our successors. Further, the names of those to whose lot it fall to be thus blessed, as also of all others who confer on our Church aforesaid any gifts of mark, together with the character and condition of the gift, shall be entered in detail in the register of the Church, in order that their memorial may be specially kept among the roll of benefactors of the said church.

[a] [*Abbots of* Abbotsbury, Bindon, Cerne, Milton, Sherborne; Kingswood, Malmesbury, Stanley; Abingdon, Reading. *Abbesses of* Lacock, Wilton.]

§ XXV. *On discouraging the drinkings before on occasion of the Antiphon called "O Sapientia."* [3]

Whereas in old time, when Canons and Vicars living at Old Sarum were easily able to meet apart from riotous

They varied from day to day for the Evensong on certain days, eight in number (or *nine* including "*O Thoma didyme*," from the Sanctorale, in Salisbury, York, and Hereford Uses) next before Christmas Eve at the close of the Advent season, beginning on 16th December. (*Brev. Sar.*, i. col. cliv.; *Brev. Ebor.*, i. 57; *Brev. Herf.*, i. 133. See further, Mr. Everard Green's paper in *Archæologia*, 1886, vol. xlix. pp. 219–243 (where various Uses are compared), and the Rev. E. S. Dewick's paper *on some Vernacular Versions of the Great Oes*, in *Trans. of St. Paul's*

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facili poterant convenire tam maioris caritatis inter eos habende, potaciones[1] ante Natale Domini in incepcionibus antiphonarum novies inchoatis, quarum prima *O Sapientia* appellatur, post completorium facere consuecuissent, quia tamen ecclesia iam translata, ad quam et latior patet jam accessus, non tantum honeste, sed et alie qui non desiderantur persone, non absque scurialitate,[2] sese ingresserunt inceptionibus antedictis, fuit per loci . . Decanum et Capitulum alias unanimi voluntate contradictum, quod et Nos iam presentibus innovamus, ut tam Canonici quam vicarii certis distribucionibus,[2] quas ab ecclesia percipiunt tunc presentes contenti, a talibus potacionibus abstinentes concursus et dissoluciones, que ex eo oriri videbantur excluderent et excludant penitus in futurum.

Persone habent qualibet nocte vj. d., et canonici simplices, iij. d.[3]

Eccl. Soc., vi. pp. 237–241 (1910).) The custom of singing the seven or more such antiphons at the approach of Christmas was as old as the Gregorian Antiphoner, and it prevailed not only in monasteries (where Abbot, Prior, Cellarer, Ostiarius, etc., kept each man his *O*), but in secular choirs also. The custom of Canons of Salisbury entertaining on those days, first at their separate "lodgings" in turn, and then, in 1224, in a common hall, duly lighted up, where drink was served in the evening round the fire, dates back in all probability from Old Sarum days. J. Aubrey, a Wiltshireman, noted that *O Sapientia*, the 16th of December, was still (*cir.* 1687) "a great day observed by the schooleboies; and (I thinke) was before the Civil-Warres by the Undergraduates at Oxford: if not likewise by the Bachelors of Art." (*Remaines of Gentilisme and Judaisme*, p. 41 (ed. Ja. Brittan, Folk Lore Soc., 1881).) The Christmas vacation, according to the Proctor's Book, etc., extended until the day after St. Hilary, *i.e.* that the morrow of the Octave of Epiphany, from the morrow of *O Sapientia*, at Oxford, and from the day itself at Cambridge. The Rector at Paris was chosen on that day, though the Bachelors there were expected to continue "reading" till Christmas Eve. The Paris Doctors ceased their ordinary lectures on *O Sapientia*, while "*O Adonay*" ("*a secunda O*"), 18th December, was the day in the Rue du Fouarre. (*Ancient Kalendar of Univ. of Oxford*, ed. C. Wordsworth, Oxf. Hist. Soc., 1904, pp. 24, 214, 227.)

[1] *Potaciones:* On these "drinkings," see *Osmund Reg.*, R.S., ii. 22, in a document dated 11th July, 1224.

[2] "scurialitate": MS. E., *presumably for* "scurrilitate";—*possibly with some thought of the word* "scuriolus," a skug or squirrel (*sciurellus*).

[3] "*Persone* habent qualibet nocte vj. d., et canonici seniores, iij. d.," MS. E., margin, f. 14^{b}. There are *eight* great O's or antiphons to *Magnificat* appointed to be sung, possibly *sung through*, as the York Brev. specifies, before that canticle, one of them on each day, at evensong, in the *Temporale* of the Breviary of Salisbury Use, viz.: 1. O Sapientia; 2. O Adonay; 3. O Radix Jesse; 4. O Clavis David; 5. O Oriens splendor; 6. O Rex gentium; 7. O Emmanuel; 8. O Virgo virginum. *Brev. Sar.*, i. cols. xcix., cliv.–clvi. (see also *Brev. Ebor.*,

attendance of laymen, for the sake of fostering greater mutual love among them, they were wont after Compline to hold drinkings before Christmas at the beginning of the nine Antiphons, of which the first is called "*O Sapientia*," inasmuch as after the removal of the Church, to which a readier approach was open to all men, not only desirable but also some undesirable persons forced an entrance not without ribaldry at the aforesaid beginning [of the nine times repeated Antiphons, known as "the Great O's"] it was on a certain occasion unanimously agreed by the Dean and Chapter of the place, and is now ratified afresh by Us in these presents, that both Canons and Vicars then present, being satisfied with the fixed distributions which they enjoy from the Church, should abstain from such drinking, and should prohibit, and now for all time to come shall prohibit, all riotous and ribald concourse which might be likely to arise from the practice.[4]

i. cols. 57, 58). The Sarum rubric directs that the 1st (*O Sapientia* itself) should be begun by the chief personage (*excellencior persona*) who was present in choir on the evening of Dec. 16th (xvii. Kal. Jan.), the ninth before Christmas Day. On the subsequent evenings the seven next in dignity were in descending order each to take his turn to begin his great *O*, as the Precentor placed their names upon the *rota*. The music may be seen in Dr. Frere's facsimile of a XIIIth-century *Antiphonale Sarisb.* (Plainsong and Mediæval Music Soc., 1903), f. 41. Cf. *Sarum Use* (i. 24, 98), ii. pp. 26, 27; xvj. (*Tonale*). The *Sanctorale* adds a *ninth* O (O Thoma didyme) for *Magnificat* at both evensongs (or, at York, for first vespers only). This would be upon Dec. 20 and 21. *Brev. Sar.*, iii. cols. 61, 68; *Brev. Ebor.*, ii. 124. *Brev. Herf.*, i. 132-134, prints "*Ant.*, O Thoma didime," after the other 8 *in the Temporale*, and notices that Bishop J. Trilleck (1344-60) directed that it should be sung at both evensongs of St. Thomas the Apostle.

[4] The Pentecostal Oblations (mentioned on p. 201) were offerings brought to the Mother Church at Salisbury, and were laid on the high altar. The curious customs of Grovely, when processions of parishioners from Wishford and Barford came to Salisbury "in a dance," waving banners and oak-boughs, which last they laid on the altar of the Cathedral in (almost) living memory, were originally held in Whitsun-week, though since the Restoration of Church and King they have been transferred to the 29th of May. We trace here the old custom of the parishes bringing free-will offerings, as a sort of acknowledgment of the gift of holy oil sent at Easter-tide. These offerings became fixed at a certain sum, varying from 8*s.* 6*d.* (from Amesbury) to 3¼*d.* (from Dicheridge) or 3*d.* (from Bremilsham chapelry). There is a list of Pentecostals, dated 1251. These oblations, or a moiety of them,

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§ XXVI. *De testamentis a Decano insinuandis.*

* f. 15 = p. 41. *This is* chap. xxii. *in* MS. "Constitutiones."

* Quoniam visum est quod quidam laici, executores ultime voluntatis quorundam Canonicorum Sar' sese pretendentes, et testamenta, si que fecerant Canonici memorati, Decano loci ordinario, immediato,[1] vt moris erat, insinuare contempnentes, bona, que in clauso Sar' et extra ipsorum Canonicorum fuerant, temeritate propria subtraxerunt, ordinamus quod statim post obitum cuiuscunque Canonici, bona omnia que habuerit tempore mortis sue, tam in clauso canonicorum Sarum, quam in prebendâ sua existencia, adeo maneant presentis statuti auctoritate sequestrata, quod, preterquam pro expensis funeralibus, nulli liceat manum apponere ad eadem, et quod excommunicationis maioris sententiam, qui contrarium facere presumpserint, veluti ecclesiasticam libertatem infringentes, incurrant ipso facto, quousque testamento dicti decedentis . . Decano vel eius in ecclesia locumtenenti, legittime insinuato, sui si quos constituit, executores, bonorum eorundem administracionem in forma iuris fuerint assecuti, et sequestrum huiusmodi in forma debita relaxatum.

Laici fuerunt olim executores canonicorum. Decanus est ordinarius immediatus. Bona existencia, tam in clauso, quam in prebendis sequestrari possunt per decanum.

§ XXVII. *De quibusdam dubiis circa officium Cancellarij declaratis.*

N.B. hic causam quod hodie male observatur. *This is* chap. xxiii. *in* MS. "Constitutiones."

In congregacione siquidem hac presenti de consensu memorati Cancellarii dictum fuit, et per dictum Capitulum concorditer declaratum, quod cum ex antiquo statuto literas et Cartas componere, et literas in Capitulo legendas legere, ad Cancellarium debet pertinere, hoc taliter intellexerunt, et futuris temporibus voluerunt firmiter obseruari,

amounting in the XIIIth century nearly to £12, constituted a prebend (*media* or *major pars altaris*), held originally, by the Bishop after 1158 by a Canon, and in 1329 assigned to the Subdean (*Regist. Mortival*, i. 169). It was held by Canons again from 1346. Canon Liddon was one who held the stall after the alienation of endowments.

[1] See note [2] on p. 200. This was Peter of Savoy (*de Sabaudia*), who was Dean of Sarum from 1297 to 1309. Other "ordinances" during his time are alluded to at pp. 115, 160, 182, 194. As the earliest of the

§ XXVI. *Of Wills to be proved by the Dean.*

Since it has appeared before this time that certain laymen, claiming to be executors of the last will of certain Canons of Salisbury, and neglecting to produce (after death) in the presence of the Dean, who is the immediate Ordinary[2] of the place, according to custom, any wills made by the Canons aforesaid, have by their own rashness appropriated goods which had belonged to such Canons both within and without the Close of Salisbury, we ordain that immediately after the death of each Canon, all the property which he possessed at the time of his death, existing in the Close of the Canons of Salisbury and in his prebend, shall remain sequestrated by the authority of the present statute, and that except for funeral expenses no man shall be allowed to put his hand on the same; and that those who presume to act contrariwise shall incur, *ipso facto*, the sentence of Greater Excommunication as though they were guilty of infringing the liberty of the Church, until, after the production of the will of the said deceased in the presence of the Dean or his deputy; his executors (if any have been lawfully constituted) shall acquire the administration of the property aforesaid in legal form, and the sequestration shall be discharged in due form.

§ XXVII. *On clearing up certain doubtful matters concerning the office of the Chancellor* [*of the Church*].

At this present meeting, with the consent of the Chancellor aforesaid, it was stated, and unanimously declared by the said Chapter that whereas by ancient statute the work of composing letters and documents, and of reading letters meant to be read aloud in Chapter, ought to belong to the Chancellor, they understood this in the following sense and wished it to be thus clearly

Chapter registers still preserved dates only from 1329, it is doubtful if the text of his "Statutes," as they are called, can be found. As to the Chancellor's duty of "correcting" (? mending, as well as amending) books, see above, pp. 38, 54, 58).

[2] See, however, the Bishop's claim, on p. 283.

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ut quociens carta vel litera aliqua pro ecclesia communi sigillo Capituli consignanda facienda fuerit in futurum, illam tociens dictare scribe, in Capitulo legere, et signare, ad Cancellarium qui pro tempore fuerit suis sumptibus pertinebit. Si vero literarum huiusmodi oporteat multiplicare tenorem, sumptibus communibus multiplicatio ipsa fiet. Ligatura[m] vero librorum maioris altaris et chori ad dictum Cancellarium pertinere, fuit in statuto Petri de Sa†baudia,[1] Decani, alias declaratum.

Nota quod Cancellarius faciet proprijs expensis. Ligatura librorum maioris altaris et chori pertinent ad cancellarium.

† f. 15ᵇ = p. 42.

§ XXVIII. *De presentacionibus ad Vicarias in Ecclesia Sar' cum vacauerint faciendis.*

Circa vero ydoneitatem vicariorum in ecclesia nostra Sar' preficiendorum, per supradictum Episcopum Egidium,[2] synodali approbacione, inuenimus sic statutum :—

"Cum inter tocius orbis ecclesias, ecclesia Sar' in diuino officio et ministris, tanquam sol in rota claruerit, adeo radios suos vndique diffundens quod defectus suppleuerit aliarum, ne per ministros indignos claritas sua, nobis non curantibus, eclipsetur, Statuimus vt nullus de cetero ad officium vicarii in ipsa ecclesia presentetur, nec aliquatenus admittatur, nisi preter alia merita honestatis, que in ministris huiusmodi requiruntur, instrumentum habeat idoneum modulandi, et cantus periciam, sine quibus ecclesie gloria, quam ministrorum maculauerat indignitas, et antiquum laudis preconium minime poterit reparari :"

(*A hand is drawn, in the margin, pointing to the following note :—*)

Nota quod vicarij debent periciam cantandi habere antequam recipiantur.

Et quia Nos, Rogerus Episcopus supradictus, una cum Capitulo memorato, comperimus quod statutum huiusmodi, nunc per fauorem, nunc per inordinatam

[1] See above p. 208 *n.*

[2] Giles de Bridport, who held the See of Sarum from 1257 to 1263. (See Wilkins, *Concilia*, i. p. 715, *sub ann.* 1256, and the extract printed above, p. 90.)

observed in unbroken practice, that whenever in time to come a document or letter has to be sealed with the common seal of the Chapter on behalf of the Church, the task of dictating it to the writer,[3] of reading it in Chapter, and of signing it, shall belong to the Chancellor for the time being at his own cost; but if need arise to make copies of the tenor of such letters, the copying shall be done at the common cost [of the Chapter], and it has been shown elsewhere in the Statute of Peter of Savoy, Dean, that the binding of the books belonging to the High Altar and the Choir belongs to the said Chancellor.[4]

§ XXVIII. *Concerning presentations to vacant Vicarships in the Church of Salisbury.*

But as touching the meetness of the Vicars who shall be appointed to have preferment in our Church of Salisbury, We find it thus ordained, with the approval of his Synod, by the above-named Bishop Giles:—

"Forasmuch as among the Churches of the whole world the Church of Salisbury, in the Divine office and ministrations, hath shone radiantly, like the sun in his full disk, so diffusing everywhere her rays as to supply the defects of others, We, that her brightness be not, through our negligence, eclipsed by unworthy ministers, do ordain that none hereafter be presented to the office of Vicar in that Church, or be in any wise admitted thereto, except, in addition to other well-reported-of merits, required in ministries of this sort, he have a fitting musical organ and skill in singing, without which the glory of the Church, stained by the unworthiness of her ministers, and the ancient proclamation of her praise, will be wholly beyond repair."

And because We, the above-named Bishop Roger, together with the aforesaid Chapter, find that the statute to this effect hath not brought, and is not even at this present time bringing, the desired fruit: sometimes by reason of partiality, at another because of inordinate

[3] *Reading* "scribe" (*not* "scribere")

[4] Cf. MS. E., 12, 13.

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affeccionem, et frequenter per impensorum et impendendorum obsequiorum retribucionem, nonnunquam vero per ambiencium importunitates (qui, licet minus ydonei fuerint, non absque ecclesie scandalo in suo ambitu manifestius detegendo, per preces et fauores exterorum et secularium, si obauditi fuerint, ex hoc malignancium, non tantum defunctis sed eciam quandoque viuis, se procurant vicariis subrogari) speratum fructum non attulit, nec affert eciam in presenti, dum ex causis premissis minus ydonei presentantur et inducuntur in ecclesiam antedictam. ¶Et cum sicut multiplicata gente modulandi, que in hac parte requiritur, leticia non sit aucta, statuimus, ut Decanus, presidens, ac Canonici omnes et singuli dicte ecclesie nostre Sar', qui pro tempore fuerint, honorem Dei et ecclesie mundanis huiusmodi, quin pocius vanis, fauoribus preferentes, statutum dicti Egidij supradictum per nos * approbatum obseruent, et faciant quantum in eis fuerit inuiolabiliter obseruari.

Ecce tunc erant vicarij recepti per preces.

Nota pro statuto Egidii episcopi.

* f. 16 = p. 43.

§ XXIX. *De admissione, residencia, et ministerio Vicariorum.*

Statutum antiquum[1] in presencia bone memorie Ricardi, quondam Episcopi Sar', in sollempnitate Assumptionis beate Marie Virginis, Anno Domini Millesimo ducentesimo vicesimo secundo, per olim Willielmum Decanum, et loci Capitulum tunc sollempniter congregatum, inter quos beatus Edmundus, tunc Thesaurarius, existebat, fecimus in medio recitari, verba continens que sequuntur:—

Ecce congregacio facta fuit per decanum. (Aug. 15, 1222.)

Hic de anno probacionis.

"Vicarius autem . . a Decano cum examinacione admissus in primo anno, quasi in probacione existens, Psalterium et Antiphonarium addiscat, et cordetenus sciat,[2]

[1] For this ancient statute see above, pp. 74, 76.

[2] Bishop Ric. Beauchamp issued *Statutum novum de oneribus*

affection, and frequently because of the recompense given to existing or expected services; sometimes also because of the importunities of those who seek office—who, unmeet though they be, and bringing scandal upon the Church by the open discovery of their canvassing and by the solicitations and partialities of extern and secular persons, that show malice the moment a deaf ear is turned to them, procure their own appointment to the place, not only of deceased Vicars, but even of on occasion living ones—is, We say, without fruit forasmuch as through the premised causes unfit men are presented and brought into the aforesaid Church; And because, with the "multiplying of the people, the joy"—of music required in this behalf is "not increased," We ordain that the Dean, President, and all and singular the Canons of our said Church of Salisbury for the time being, preferring the honour of God and of the Church to such worldly, nay rather worthless, partialities, do observe the above-said ordinance of the said Giles [de Bridport] by Us approved, and that, as much as in them lieth, they cause it to be inviolably observed.

[*Isai.* ix. 3, ed. Vulg., cf. *Brev. Sar.* I. col. cxi.]

§ XXIX. *Concerning the admission, residence, and ministration of the Vicars.*

An ancient ordinance made in the presence of Richard, sometime Bishop of Sarum, of honoured memory, on the solemnity of the Assumption of the Blessed Virgin Mary, in the year of our Lord one thousand two hundred twenty and two, by William, formerly Dean, and the Chapter of the place then solemnly assembled, among whom was the blessed Edmund, at that time Treasurer—this ordinance we have caused to be read openly, containing the words which follow:—

"But let the Vicar, after being admitted by the Dean with examination, while a probationer in his first year, learn and know by heart the Psalter and Antiphoner;

vicariorum in ecclesia Cathedrali Sar. a tempore admissionis suscipiendis et obseruandis (31st Jan., 1471–2), "stella comata tunc regnante. . . . Vicarius amodo admittendus a Decano, vel eius Locumtenente aut

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(vicarius perpetuus.)

quod si in officio ecclesie et bonis moribus medio tempore profecerit, extunc vicarius perpetuus remaneat; alioquin alius ydoneus vicarius ad presentacionem Canonici[1] a Decano substituatur, secundum formam prescriptam.

Juramentum vicariorum.

Admissus autem vicarius iurabit Decano Canonicam obedienciam, et fidelitatem ecclesie, et quod fideliter acquietabit dominum suum[2] et ei fidelis per omnia existet.[3]

Si necligens fuerit in prosecucione horarum. Si inhoneste conuersetur.

Porro si vicarius necgligens fuerit in prosecucione horarum Canonicarum, vel alias male conuersetur vel inhoneste, et a . . Decano commonitus hoc non emendauerit, in Capitulo coram Decano et Capitulo secundum eorum arbitrium puniatur."[4]

Ecce Decanus statuit cum Capitulo. (*Monday*, 9 *July*, 1268.)

Ad hec Robertus[5] Decanus, et Capitulum, ad diem lune proximam post octabas Apostolorum Petri et Pauli, anno gracie Millesimo ducentesimo sexagesimo octauo conuocatum, premissa seriosius explicando quoddam addiderunt statutum continens hunc tenorem:—

(Nota de ordine.)

† f. 16^{b} = p. 44.

"Quia vero Canonici, plerumque variis ex causis prepediti, non semper continuam in ecclesia residenciam facere possunt, salubriter ordinatum et prouisum est ab antiquo, quod quilibet Canonicus habeat † vicarium in ordine quem prebende ipsius cura requirit[6] continue residentem, qui absenciam domini sui supplendo nocturnis et diurnis obsequiis horis competentibus intersit;

Vicarius excusabit dominum suum in diurnis et nocturnis.

quibus, ad sui sustentacionem certam distribucionem cotidianam de ecclesia, et certa de bursa dominorum suorum stipendia, secundum ordinum suorum et graduum

Stipendia

Presidente Capitulo, cum diligenti examinacione; Primo anno in probacione existens, Primum nocturnum psalterij Dauitici, et vltimum (scilicet *Dixit Dominus*, etc., usque ad *Omnis spiritus laudet Dominum* (Ps. cix. = cx.—cl.)), communeque seruicium sanctorum, atque commemoracionem B. Marie et S. Osmundi necnon Antiphonas Sanctorum proprias historias habentium, ac de Temporali, de die cantandas ad(d)iscat, et decantet cordetenus, ac humiliter se gerat, sciens se senioribus non preesse. Et ut sic admissus reddat se apciorem, in fine anni, residuos quinque Nocturnos Dauid per se, vel cum socio, vbi libencius videbitur eidem expedire . . . alioquin amoveatur," etc. (*Reg. Machon*, pp. 243-4.)

and if meanwhile he have made progress in the Church office and in virtuous behaviour, let him thenceforth abide a perpetual Vicar. Otherwise let some other meet Vicar be substituted by the Dean for presentation by the Canon, according to the form prescribed. And, being admitted, the Vicar shall vow canonical obedience to the Dean, and fealty to the Church, and that he will loyally satisfy his master and prove faithful to him in all things. Further, if the Vicar shall have been negligent in performance of the canonical Hours, or be otherwise of evil or unedifying conversation, and being admonished by the Dean shall not have amended his fault, let him be punished in Chapter, in presence of the Dean and Chapter, at their discretion."

Whereunto Dean Robert [de Wykehampton] and the Chapter, on the Monday next after the octaves of the Apostles Peter and Paul, in the year of grace one thousand two hundred sixty and eight, for the more particular explication of the premisses, added a certain ordinance after this tenour:—

"Moreover, forasmuch as the Canons, being ofttimes hindered through various causes, cannot always make continuous residence in the Church, it was of old wholesomely ordained and provided that every Canon shall have a Vicar continuously resident, in the order required by the charge of his prebend, to be present in his master's place, at the day and night offices at the proper hours; to whom, for their sustenance, a certain daily distribution from the Church, and certain payments out of their masters' purse, were assigned according to the differences

[1] "Canonici, prebendarii illius stalli." (*Reg. Machon*, p. 243 = f. ciij. (31st Jan., 1472).)

[2] "In seruicijs diurnis et nocturnis." (*Add.* 1472.)

[3] "Statutaque et consuetudines et ordinaciones ecclesie, ac communis aule vicariorum quatenus ipsum concernunt; necnon pacem tranquillitatem, et honorem ecclesie, capituli et canonicorum eiusdem obseruabit, et pro posse suo observari procurabit" (31st Jan., 1472).

[4] For this ancient statute, see above, p. 76.

[5] Robert de Wykehampton, who afterwards became Bishop, was Dean of Sarum in 1268. The Bishop at that time was Walter de la Wyle.

[6] See above, p. 111.

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de bursis canonicorum.

diuersitatem proinde assignarunt; statuentes quod si quis causa racionabili cessante, horis matutinalibus non intersit, illud cotidianum pro tempore absencie sue eidem subtrahatur."

Nota quod vicarius absens in matutinis debet perdere suum cotidianum.

Iste obulus venit de pensione abbatis de Hyda, pro anima R. Carvile.

Post quod pie memorie R[icardus],[1] quondam Thesaurarius noster, vt ijdem vicarij ecclesiam ipsam in nocturnis et diurnis officiis eo libencius et sedulius frequentarent, in augmentum distribucionis supradicte, singulis singulos obolos per diem de propria substancia perpetuo assignavit. Quia vero nonnulli constitucionem huiusmodi intelligentes, licet horis matutinalibus quandoque, aliis tamen raro vel nunquam curant interesse, et ad laudem Dei eque, ad scandalum uero populi remouendum, quod de die frequencius intersint quam de nocte, magis necessarium existit aliis horis diurnis sicut et matutinalibus interesse, constitucionem huiusmodi, et ipsius penam, non solum ad matutinales sed ad alias horas diei volumus extendi, vt qui absque causa racionabili eciam aliis horis non interfuit pro die ipsa distribucione careat supradicta. Et quia aliqui diuiciis forte (que hominem insanire faciunt) aliunde saciati, vel qua de causa nescitur, penam subtractionis huiusmodi minime formidantes, ab ipsius ecclesie obsequiis tam nocturnis quam diurnis frequenter se subtrahunt sine causa, necesse est penam huiusmodi contra tales artius aggrauari,—Vnde prouide ordinamus et statuimus, vt siquis in hoc assuetus inuentus fuerit, nisi velocius se emendauerit, eciam in stipendiis suis arbitrio nostro puniatur; vt videlicet dominus suus, quando per nos sibi fuerit denunciatum, * subtrahat de eisdem, in ecclesie nostre vtilitatem arbitrio nostro conuertendum. Et ut, quanto magis a secularibus exaccionibus sunt semoti, tanto

Qui non est presens in diurnis sicut in nocturnis debet similiter perdere.

* f. 17 = p. 45.

[1] This was Richard de Kareville, Treasurer in 1242, who died in 1267. He was a liberal benefactor to the Cathedral. A copy of his

of their orders and degrees; it being ordained that, if without reasonable cause any one of them be absent from the morning Hours, this daily shot be withdrawn from him during the time of his absence."

After which Richard [de Careville] of pious memory, sometime our Treasurer, to the end that the same Vicars should be the more ready and diligent in resorting to the said Church for the night and day Offices, in augmentation of the above-mentioned distribution, assigned to each a penny a day from his own substance for ever. But forasmuch as some of those who know this constitution, though they attend the matin Hours now and then, yet seldom or never trouble themselves to take part in the others; and since for the praise of God, but equally for the removal of occasion of scandal to the people (inasmuch as folk are present more often by day than by night), it is the more necessary that Vicars attend the other Hours, as well as the matin Hours, it is our pleasure that such constitution, and the punishment attached to it, be extended to other day Hours, and not only to the matin Hours, so that whosoever without reasonable cause hath not taken part in the other Hours also shall forfeit the above-mentioned distribution for that day. And forasmuch as some, having peradventure enough riches—the cause of madness in man—from other sources, or for some unknown reason, recking little of the punishment of such forfeit, often causelessly withdraw themselves from the devotions of the Church itself, as well those of the night as those of the day, it is necessary that such punishment shall be made heavier and stricter against such persons; therefore We do for the future appoint and ordain, that, if any shall be found a wonted offender in this sort, except he quickly reform, he be mulcted also in his stipend, at our discretion; that is to say, that his master, when notified by Us concerning it, shall make subtraction from the stipend, the same to be converted, at our discretion, to the benefit of our Church. Further, to the end that, the more they are set free from worldly necessities, they may the more freely

will entered at the commencement of Lib. Evid. (C.) is printed in *Salisbury Charters*, pp. 342–346.

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liberius ecclesie seruiciis horis competentibus possint inherere, prohibemus ne domini eorum ipsos aliquibus secularibus seruiciis vel balliuiis in domibus suis, videlicet disponendis, vel extra preponant, per que ab ecclesia se subtrahant quoquomodo; et si contrarium factum fuerit, tam dominum quam vicarium super hoc redargui volumus grauiter et puniri.

Nota: Canonici non debent prefficere vicarios suos balliuiis de domibus suis.

Et quia nos, Rogerus Episcopus supradictus, premissis et illis que fiunt in contrarium debito ponderatis, quosdam de modernis non doceri sed pocius docere, priusquam didicerint, plurimum affectantes, asserere audiuimus et tenere, quod non primo anno in probacione, iuxta premissa, existere debent, sed quod primo die quo recipiuntur effecti perpetui, eciam si addiscenda non addiscant, debent in dicta ecclesia suo perpetuo remanere, quodque absque offensione iuramenti premissi, diurnis horis possunt abesse, et per alios conuicarios suos, (licet ijdem alij ad similia et sub simili teneantur iuramento) ea que sibi in hac parte incumbunt, cum voluerint adimplere, et sese secularibus accionibus dominorumque suorum ac aliorum balliviis rerum familiarium prouisionibus, et diuersimodis administracionibus licenter implicare; Nos igitur, premissa que cultum diuinum minuunt, errores inducunt, et scandala suscitant plurimorum, de medio tollere, et ad Dei, glorioseque Virginis, [1] patrone nostre,[1] laudem et honorem, errantes in inuio et non in via in hac parte, ad rectitudinis semitam, et veritatis agnicionem, reducere desiderantes desiderio ampliori, deliberacione sufficienti prehabita super illis, dicimus, declaramus, statuimus, et de consensu dictorum presidentis et Capituli ordinamus, quod tam preficiendi in prefata ecclesia nostra deinceps vicarii, quam eciam iam prefecti, ad obseruationem omnium † et singulorum eos contingentium, que in statutis continentur predictis, sub

Statutum Rogeri episcopi pro vicarijs vt sint perfecti, &c.

† f. 17[b] = p. 46.

[1] These two words (*patrone nostre*) are enclosed in lines, as if for excision in MS. E.

devote themselves to the Church's services at fitting hours, We do forbid their masters to set them to any secular services, or bailiff's offices, in their houses (that is to say, in ordering them) or outside them, whereby they shall withdraw themselves in any way soever from the Church. And if the contrary shall take place, our pleasure is that as well master as Vicar be for this offence severely reproved and punished.

And forasmuch as We, Roger, the Bishop aforesaid, after duly weighing the premisses and whatever may be urged on the contrary side, have heard that some men of the present day, eagerly desiring not to be taught, but rather to teach before they have been learners, do assert and hold that they ought not to be under probation in the first year, as the premisses prescribe, but that, becoming perpetual Vicars on the first day of their reception, even though they do not learn what they have to learn, they ought to remain in the said Church for ever, and that, without breach of the aforesaid oath, they have power to absent themselves from the day Hours, and by others their co-Vicars (albeit those very others are bound to the same duties and under the same oath) to perform at their pleasure those duties which are incumbent on them in this behalf, while they freely entangle themselves in secular affairs and bailiffships, catering for the household wants of their masters and others, as well as in business of divers kinds: therefore We, desiring with a great longing to remove from our midst the afore-recited evils, which lower the worship of God, bring errors in their train, and cause scandal to very many, and desiring for the praise and honour of God and of the glorious Virgin, our Patroness, to bring back those who in this respect are wandering and out of the way to the path of rectitude and knowledge of the truth, after sufficient deliberation on these matters had beforehand, do say, declare, decree, and with the consent of the said President and Chapter ordain, that the Vicars to be hereafter appointed in our said Church, as well as those which are already appointed, do remain bound to the observation of all and singular the duties concerning them, contained in the aforesaid

A.D. 1319. (Presidens Capituli.)

moderamine infrascripto maneant obligati. Non tamen negamus quin ex causa presidentis arbitrio summe necessaria, vt puta, infirmitate, sepultura parentum et amicorum, vel alia simili in qua inhumanum foret licenciam negare petitam, possit idem presidens in consciencia sua per dies aliquot licenciare vicarium sub limitando sibi tempore, iuxta locorum distanciam, et negocii, pro qua licencia petitur, qualitatem, taliter euestigio reuersurum, vt dum sic absens fuerit videatur peregrinari pocius quam morari; cui sub iuramento predicto causas in hac parte fingere non veras expressius prohibemus.

Nota de numero vicariorum in choro omni tempore.

Nunquam tamen liceat presidenti in tanto numero licenciam concedere memoratam, quin semper sint adminus ex una parte chori tresdecim, et totidem ex alia, personaliter in singulis horis diei dicendis, et nichilominus eciam in missa feriali, preter illos qui tunc ministrant actualiter in altari ex vicariis antedictis. Que omnia eciam ad illos extendimus, qui in festiuitatibus sanctorum infra Natale Domini celebrandis, suam presenciam ab ecclesia in premissis horis tunc sollempnius decantandis, ex quadam, vt dicitur, consuetudine—immo verius corruptela—quam nos veluti diuino cultui inimicam certa sciencia reprobamus, multociens subtraxerunt.

Et ne iidem vicarii, cum sue salutis dispendio, fallantur consimilibus (quod absit) erroribus in futurum, in ipsorum noticiam deducimus per presentes, quod ipsi vel illorum aliqui ante probacionis annum huiusmodi retrolapsum, sed vero tunc in concurrentibus condicionibus prenotatis per Decanum, vel alium loco suo presidentem, presentibus fratribus qui voluerint interesse, vicarii in dicta ecclesia perpetui aliquatenus non habentur. Elapso preterea probacionis anno predicto, is qui in probacione fuerit se super premissis examinari, et, * quatenus merita sua exegerint, approbari procuret instanter, iuramentum offerens, et prestans si approbatus fuerit,

Nota.

* f. 18 = p. 47.

ordinances, under the rule beneath written. Notwithstanding We do not refuse but that, for a cause deemed by the President very highly necessary—such, for example, as sickness, burial of parents and friends, and other like contingency wherein it would be cruel to refuse the liberty asked for—the same President may at his discretion give leave to a Vicar for some days, during such time as he shall limit, according to the distance of places and the character of the business for which leave is besought, with such settled purpose to return that he may seem, while thus absent, to be a pilgrim abroad rather than one settled there. And We expressly forbid him, under the aforesaid oath, to feign untrue excuses in this matter. Notwithstanding, let it never be lawful for the President to grant the leave in question to so many but that there be always at least thirteen on one side of the Choir and the same number on the other, for saying each of the day Hours in person, and no fewer even at ferial Mass, besides those of the aforesaid Vicars who then minister actually at the altar. All of which rules We extend also to those who, at the festivals of saints to be celebrated within Christmas-tide, have many times absented themselves from the Church at the aforesaid Hours appointed to be then solemnly sung, doing this in consequence of a certain alleged custom—rather, more truly, corruption—which We of our sure knowledge condemn as prejudicial to the worship of God.

Moreover, lest the same Vicars, to the peril of their salvation, should be beguiled by like errors—which God forbid—in the time to come, We further notify them by these presents that they, or certain of them, are not deemed perpetual Vicars in the said Church in any wise, before the lapse of such year of probation, and even then only on conditions signified beforehand by the Dean, or another presiding in his place, in the presence of those brethren whose pleasure it is to take part. Further, when the aforesaid year of probation shall have elapsed, a Vicar under probation is to give special diligence that he be examined on the premisses and, according as his merits demand, approved, offering (and, if he have been approved,

A.D. 1319. supradictum. ¶ Ex presentatione vero de ipso ad vicariam facta, aut mora predicta, si hec, quantum in eo fuerit neglexerit adimplere, vel forte in examinacione ipsa minus ydoneus inuentus fuerit, iudicio presidentis, et aliorum quos vocare voluerit ad premissa, ad vicariam huiusmodi, vel in ea, ius aliquod eorum pretextu nullatenus habiturus, sed alius, absque illius contradiccione vel obstaculo, per eos per quos huiusmodi vicarius presentatus extitit taliter et admissus, per presentacionem nouam et admissionem similem, deputetur, diebus et locis, quibus hec et horum singula fieri sic continget, in registro Capituli expressius conscribendis.

Admissus quoque vicarius sub forma plenius annotata, constituciones obseruans supradictas, tam diurnis horis dominum suum acquietando in illis quam nocturnis curet diligencius interesse; et cum ibidem fuerit, facere et exequi, tam iuxta premissa, quam alias super hiis ordinata viriliter quod intercumbit;[1] penas contra super hiis delinquentes per statuta predicta plenius ordinatas, si non fecerit, procul dubio incursurus.

Nota. ¶ Nec estimet eorum quisquam se posse, si absens fuerit, vel presens et hoc taliter implere neeglexerit, aut per subrogandam personam, que pro se similiter fuerit obligata, hoc fieri procurauerit, cum idem ipse hoc implere commode per se posset, a transgressione dictorum statutorum reatuve periurii per quorumcunque de Capitulo licenciam vel dissimulationem excusari.

Periurium.

Non tamen negamus quin vicarius in sua admissione habilis et ydoneus ad exequendum per se quod sibi incumbit, si per infirmitatem aliamve causam ineuitabilem, per presidentem cum Capitulo, seruatis

[1] It is clearly "intercumbit" in the MS. E., but is used, no doubt, for "incumbit." (*J.*)

making) the aforesaid oath. But in case he shall have neglected to perform these duties, as far as in him lieth, or if peradventure in the examination itself he shall have been found (by the judgement of the President and others summoned by him to the aforesaid task) to be unfit, then neither his presentation to the vicarship, nor yet the length of the time of his probation shall confer on him any right whatsoever to or in the said vicarship on that account; but another (without any gainsaying from him or resistance) shall, by those by whom such Vicar is presented and likewise admitted, by a new presentation and similar admission, be appointed in his place, the days and the places at which these and each of these transactions are completed, being expressly enrolled in the register of the Chapter.

Also when a Vicar hath been admitted, in the form fully prescribed, observing the above-rehearsed constitutions, let him bestow care to give diligent attendance in doing his duty to his master, as well at the day as at the night Hours, and, when he is there present, to do and perform strenuously what is incumbent on him, in accordance both with the premisses and with what hath been elsewhere ordained on these heads, knowing assuredly that, if he have not so done, he will incur the penalties expressly ordained by the aforesaid statutes against defaulters in this sort. Further, if any of them hath been absent, or being present shall have neglected to perform his duty in such sort, or shall have procured its performance by hiring in his place a person who is bound in like manner on his own behalf, although he could conveniently perform the duty himself, let him not think that he can be acquitted of transgressing the said statutes, or of the guilt of false swearing, because of leave obtained from any of the Chapter whatsoever or of their connivance.

Howbeit, We do not refuse, but that a Vicar who at his admission was able and fit to carry out the duty laid upon him, if through infirmity or other unavoidable cause, to be approved by the President together with the Chapter

A.D. 1319. constitucionibus antedictis, approbandam, impotens postmodum effectus fuerit, vel alias in obsequio † Capituli absens extiterit, per alium conuicarium suum id valeat adimplere.

† f. 18b = p. 48.

Circa habitum, gestum, et incessum, tam in choro et ecclesia quam extra, ac modum Psalmodizandi, cantandi, et legendi, que in statutis beati Osmundi[1] super hiis plenius continentur, et que eciam aliud statutum R[icardi] Decani et Capituli in supradicta congregacione sua in serie plenius comprehendit, ordinamus firmiter obseruanda, cuius statuti tenor dinoscitur esse tale.

Nota. (*A pointing hand.*)

[A.D. 1214.] (*Another pointing hand.*) Ad hec [2]quia gestus, motus et saltus inordinati animi leuitatem signant, illud in vicariis nostris quos morum grauitas dicitur comitari, reprobamus, quod nonnulli eorum post misse, vesperarum ac ceterarum horarum, primum ingressum in choro, modo huc, modo illuc discurrendo et saltando, chorum frequenter exeunt et redeunt sine causa, Deo (vt videtur) illudentes, et, si principium et finem habeant, de medio non curantes. Quia igitur perfectum non est, quod ex omnibus suis partibus non consistit, districte et sub obediencie debito precipimus et statuimus firmiter obseruari, ne quis, postquam ingressus fuit chorum, ante finitum officium, quod incumbit, exeat exinde, nisi euidens et probabilis siue necessaria causa ipsum ad hoc inducat; et tunc cum grauitate incedat, et in exitu et egressu devote se coram altari inclinando. Si quis vero huiusmodi precepti vel statuti temerarius transgressor inuentus extiterit, in communa, vel aliter pro delicti frequencia et qualitate, puniatur.[3]

Stallis etiam, (prout in ordinacione supradicti Petri, Decani, plenius continetur, quam presentibus innouamus) cum tali moderamine eleuandis ac etiam deprimendis, ut

Nota.

[1] For these ancient "ordinances" see *Reg. Osmundi*, f. lvii., and also above, pp. 28, 32, 48, where some reference is made to Vicars.

[2] Cf. *De transitu chori*, in *Use of Sarum*, i. 16. Also *De habitu et honestate clericorum* in Dean Ri. Poore's *Nova Constitutio* of 1214, p. 46, above.

(the aforesaid constitutions not set aside), he shall afterwards have become disabled, or be otherwise absent in the service of the Chapter, may perform his duty by another his co-Vicar.

As touching habit, carriage and walk, as well in Choir and Church as outside, and the method of chanting the Psalter, of singing and reading, We ordain the strait observance of the rules fully contained in the statutes of blessed Osmund upon these matters, and of those also which are fully comprised in another statute made by Dean Richard and his Chapter in their aforesaid assembly; of which statute the tenour is found to be as followeth:—

"Further, inasmuch as unseemly gestures, movements, and leapings denote lightness of mind, we condemn this demeanour in our Vicars (who are reputed to be attended wherever they go by gravity of behaviour), viz. that some of them, after the first entrance into Choir for Mass, Evensong and the other Hours, running hither and thither, leaping and skipping, often causelessly leave the Choir and return, mocking God, as it seemeth, and, if they keep the beginning or end, caring nothing for what comes between. Inasmuch, therefore, as that is not perfect which doth not consist of all its parts, We straitly and under the duty of obedience charge and ordain to be strictly observed, that none after his entrance into Choir go out thence before the appointed office be ended, except some evident and approvable or necessary reason lead him to it; and then let him walk with gravity, both at his departure and going out devoutly bowing himself before the altar. But if any shall have been found rashly transgressing such precept or statute, let him be mulcted in his commons, or otherwise, in proportion to the frequency and quality of his fault.

"The stalls also (as is fully contained in an ordinance of the above-mentioned Dean Peter, which We renew by these presents) are to be lifted and lowered with such

[2-3] The passage in our text, "Ad hec quia . . . et qualitate, puniatur," though not found in our extant Salisbury documents of earlier date, appears in Bishop Alnwick's *Novum Registrum Lincoln.* (1440), part v. See *Statutes*, iii. pp. 350, 351 ("At quia gestus. . .").

A.D. 1319. ex strepitu vel collisione eorum conveniencium deuocio nullatenus minuatur aliqualiter vel turbetur, sub pena pro presidentis arbitrio tociens contrarium facientibus infligenda, quociens collisionem vel strepitum huiusmodi fieri deinceps contigerit in ecclesia memorata.

* f. 19 = p. 49. Quod autem graciam nostram super danda * dictis vicariis licencia prenotata sub certis causis et temporibus, vt est dictum, taxamus et alia declaramus prescripta, horum diligens non miretur auditor; nec in obloquium proinde contra Nos, vel nostrum Capitulum, exurgentes labia aperiant incircumcisa, aut linguam exacuant venenosam. ¶ Si qui in hac parte mordaces, quod absit, fuerint detractores, neque ministri memorati, primi more parentis, culpas proprias, que sibimet ipsis imputari debent, in alium retorquere conentur, eo quod nimietas eorum qui sese ab horis diurnis frequenter et a missa nimis voluntarie absentarunt, ad hec materialiter nos coegit, et quod dicte gracie nostre moderamen, cum Dei honore et ecclesie, extendi lacius non permittit; sed nec affectus quem gerimus ad eosdem sinit, quin illos, super eorum periculo caucius euitando, faciamus diligencius premuniri, vt idem periculum huiusmodi iuxta nostrum desiderium euitantes illi cui seruire regnare est, in mentis quiete, possint cum sue salutis augmento, similiter et corporis devocius famulari.

[*Brev. Sar.*, i. col. x.; ii. col. 285.]

Penam vero ex antiquos tatuto suprascripto, [que] illis infligitur qui horis abfuerint diurnis vel nocturnis, consensu vnanimi, taliter moderamur, vt qui attestacione illorum, qui communam distribuunt vicariorum, inuenti fuerant iuxta arbitrium quandocunque presidentis et Capituli casualiter et rarius delinquere in hac parte, mitigacionem prout ipsi decreuerint pene predicte consequantur; illis qui frequenter, contra tenorem constitucionis predicte, quasi ex consuetudine sese ab horis predictis duxerint absentandos, pena memorata nichil-

gentleness that the devotion of the congregation be nowise diminished or disturbed through the noise or knocking together of them, under penalty to be inflicted at the President's discretion on those who do the contrary, every time that it shall have happened that such knocking or noise has taken place in the said Church."

But in that, as hath been said, We declare our indulgence in respect of the giving the said Vicars the aforesaid leave, for certain causes and at certain times, and set forth other rules, the careful hearer of these afore written matters must not marvel, nor must those who assail Us or our Chapter open uncircumcized lips, or whet a poisonous tongue. If, which God forbid, any in this matter have shown themselves envious detractors, the Ministers aforesaid should not, like our first parent, attempt to twist back upon another their own faults, which ought to be imputed to themselves, seeing that the excess of those who ofttimes have too readily absented themselves from the day Hours, and from Mass, hath materially compelled Us to take our present course, and seeing also that the rule of our said indulgence may not be stretched further with honour to God and the Church. But neither doth the affection which We bear to those same men suffer us to fail in premonishing them diligently of the peril which must be carefully avoided by them, so that shunning that same peril, as we would have them, they may more devoutly serve Him whose service is perfect freedom, in all quietness of mind, to the increase of their souls' health, and the health likewise of their bodies.

But the penalty prescribed in the ancient statute above-written, which is inflicted on those who have been absent from the day or night Hours, We hereby, with the consent of all, do so far moderate, that they who, by the attestation of the distributors of the Vicars' commons, shall have been found in the judgement of the President and Chapter for the time being to be but chance and rare offenders in this sort may obtain, as they shall determine, mitigation of the aforesaid penalty; but those who ofttimes, contrary to the tenour of the aforesaid constitution, have thought fit to absent themselves from the

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ominus constringendis quociens super hiis necgligentes fuerint vel remissi, super quibus presidentem et Capitulum per communarios predictos singulis septimanis ante solucionem commune vicariis faciendam fieri volumus et precipimus super hiis certiores, qui penam illam aut mitigent aut obseruent, prout superius est dictum, ad Dei et Ecclesie honorem, † in fide qua tenentur eidem, sine accepcione qualibet personarum.

Nota presidentem et Capitulum annuam solucionem Commune de defectibus vicariorum.

† f. 19b = p. 50.

§ XXX. *De habitu Vicariorum.*

Ut habitus Vicariorum a Canonicorum habitu sit distinctus, hiis que circa hec felicis recordacionis Osmundus, statuit, firmiter observandis, adiciendo ordinamus quod almucie[1] vicariorum ultra zonam nullatenus extendantur, quas eciam non minuto vel grosso vario aut griseo, sed pellibus duntaxat agninis aut caprinis sub panno nigro volumus dupplicari. ¶Capas vero chori gerant honestas, non longitudine nimia vel breuitate notandas, sed ad terram duntaxat extensas, cum capuciis[2] iuxta statum illorum vt conuenit moderatis. ¶Extra chorum preterea omnes et singuli gerant habitum competentem, et illi maxime qui in sacerdocio fuerint constituti, exteriorem vestem habeant dissimilem militari, vt pote anterius vel posterius non birratam:[3] qui et capucium dum in mensa fuerint aliena habeant circa collum, ad mensas Canonicorum non aliter admittendi. ¶Superpellicia autem, cum in albis fuerint, gerant plana et non constricta nec

[1] On the *Almiciæ* (or Almuces) of the Canons, see above, p. 146. In the description here given of them the word *grosso* seems to be regarded as the opposite of *minuto;* but the proper expression is simply *de minuto vario*, which corresponds with the English *minever* and the French *menu-vair*. See Sarum *Fasti*, pp. 255, 266. (*J.*) Mr. J. Hodgkin, in *Notes and Queries* 12th Ser., iii. (1912), pp. 170, 171, cited on p. 147.

[2] *Capucium; i.e.* a hood, which was usually attached to the choir cope, defined as "capitis tegumentum." It is used also for the collar. On the "capæ chori," or choir copes, see above, p. 47. (*J.*) Cf. pp. 256–7 *n.*

[3] The whole of this clause is taken from Archbishop Peckham's "Constitutions" (A.D. 1281). (See Lindwood's *Provinciale*, lib. iii.

aforesaid Hours almost as a constant practice, are none the less to be bound by the said penalty as often as they shall have been negligent or remiss in these duties. Concerning whom We will and command that the President and Chapter be every week informed by the aforesaid Communars before any payment from the *Communa* is made to the Vicars, and that they mitigate or enforce that penalty, as above prescribed, as shall serve to the honour of God and the Church, by the faith wherein they are bound to the same, without any accepting of persons.

§ XXX. *Of the Habit of the Vicars.*

To the end that the habit of the Vicars may be distinct from the habit of the Canons, We, adding somewhat to those rules which Osmund of happy memory decreed to be firmly observed touching these matters, do ordain that the Vicars' almuces extend in no wise beyond the girdle. Which almuces, it is further our pleasure, should not be doubled with minever, or gros-vair, or badger, but only with lamb's or goat's skin under black cloth.[4] And let them wear seemly choir-copes, not noticeably overlong or over-short, but reaching only to the ground, together with hoods suitably regulated according to their condition. Moreover, outside the Choir one and all shall wear a competent habit, and those especially who are in priests' orders are to have an outer garment unlike that which soldiers wear, that is to say, slashed neither before nor behind. And while at a stranger's table let them have a hood about the neck, without which they are not to be admitted to the Canons' tables. And when habited in albs let them wear surplices, plain and not too tight,

tit. 1, p. 120, *Quamvis religionis* et append., p. 32.) He explains *birratam* as denoting "vestes scissas sive divisas aut complicatas," *i.e.* either "slashed or plaited," and derives the word from *birrus* (= *gremium*), a bosom, and hence, like *sinus* in classical Latin, used for the fold of a dress. (*J.*)

[4] See J. Hodgkin, *Notes and Queries*, 12th Ser., iii. (1912), pp. 170, 171. In the xvth century the habit of Salisbury Vicars Choral (black almuces, lined with black budge, *i.e.* lambskin with the wool outwards: "*pugeto*") was specified as the pattern allowed for chaplains or vicars in collegiate churches or chapels elsewhere. (*Cal. Papal Letters*, vi. 50; vii. 385, 527.

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opere consutorio [1] curiosius complicata. Nunquam vero vsuri rochetis nisi cum celebrauerint ipsi forte missam, eo quod loco superpellicii quidam rocheta [2] huiusmodi deferentes, ab iniunctis sibi officiis per rectores chori quibus in hac parte parere ex vsu et antiqua consuetudine astringuntur, se consueverunt frequencius in ecclesie dedecus excusare. ¶Prouiso quod nullus § vicariorum, vel eciam aliorum clericorum in dicta ecclesia ministrancium, vestibus illis que mantella Almannie [3] vulgariter nuncupantur, aut capellis diuersis coloratis peciis seu depictis, caligisve scaccatis rubeis aut viridibus, publice non utatur."

§ "vllus" prima manu: *correctum.* Nota de Capellis.

§ XXXI. *De vita et conuersacione ministrantium in Ecclesia Sarr'.*

* f. 20 = p. 51.

*Ut vite pietas in ministris ecclesie nostre Sar' fulgeat clarius in futurum, statuta edita per Robertum Decanum et Capitulum Sarum, sub anno Domini superius annotato,[4] super incontinencia vicariorum, et modo procedendi contra illos, que a predecessoribus nostris repetitis vicibus novimus obseruata, de consensu presidentis et Capituli predictorum approbamus, innouamus, et obseruari precipimus, cuius existit per omnia tenor iste:—

Vide per totum.

(Castitas.) [A.D. 1268. See p. 111.]

"Quoniam autem nichil est quod Deo in suis ministris magis placeat quam vite mundicia et castitas, que sola cum fiducia animas hominum Deo representare nouit, eius contrarium in aliquibus ecclesie nostre vicariis, per quos ceterorum deformatur honestas, detestantes, ad laudem

[1] *Opere consutorio; i.e.* literally work sewn together. Here, however, it no doubt meant "tailor's work" or "needlework." (*J.*)

[2] *Rochet*—Germ. *roch*, Ital. *rochetto*, Fr. *rochet*—a long alb without sleeves; originally = *colobium*. (See Lindwood, *Provinciale*, lib. iii. tit. 27; and Marriott's *Vest. Christianum* (præf. *s.v.*).) (*J.*)

[3] By *mantella Almannie* is denoted some particular fashion adopted by the Germans, just as we call certain long overcoats in the present day "Ulsters" from the place of their first manufacture. By *capellis*

nor yet curiously wrought with needle-work. And they are never to use rochets except when they chance to celebrate Mass, seeing that some, wearing such rochets in place of the surplice, have been wont oft-times, to the discredit of the Church, to excuse themselves from the offices enjoined on them by the Rulers of the Choir, whom they are bound by usage and ancient custom to obey in this behalf. Provided that none hereafter of the Vicars, or even of other Clerks ministering in the said Church, shall use publicly the garments vulgarly called German mantles, or capes parti-coloured with pieces of different kinds, or embroidered, or wear boots of red or green squares.

§ XXXI. *Concerning the life and conversation of those who minister in the Church of Salisbury.*

To the end that piety of life in the ministers of our Church of Sarum may shine brightly in time to come, the statutes put forth by Dean Robert and the Chapter of Sarum, in the year of our Lord above noted, touching incontinence on the part of Vicars and the method of proceeding against them, which statutes We know to have been repeatedly enforced by our predecessors, We, with the consent of the President and Chapter aforesaid, do approve, renew, and order to be observed. Whereof the tenour throughout is this:—

"Seeing that there is nothing more pleasing to God in His ministers than cleanness and chasteness of life, which alone can commend the souls of men to God with boldness, We, abhorring the contrary thereof in some Vicars of our Church, whereby the good repute of the rest is disgraced,

are meant "small copes," and by *depictis*, embroidered—as *acu picta* in classical Latin. (See Virg. *Æneid*, ix. 579.) The *caligæ* were half-boots used by the military; by *scaccatis* is plainly meant *chequered*. In mediæval Latin "scaccorum ludus" means the "game of chess." The Italians have the same word *scacchi*, and so too the French in old spelling *eschequè* (chequered). The word *scaccatus* in Heraldry is *checky*—that is, squares of two different colours alternately like a chess-board. (*J.*)

[4] The year alluded to was 1268, when Robert de Wykehampton, afterwards Bishop, was Dean of Sarum. (See above, p. 111.)

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[1 *Thess.* v. 22; *Missale Sar.*, 169. *Brev. Sar.*, i. 64.] Et quoniam non solum a malo, sed ab omni specie mala, et omni eo per quod occasio mali et scandali poterit prouenire, abstinendum est;—Statuimus, ordinamus et precipimus, quod vicarii ecclesie nostre, absque causa racionabili, vicos et plateas currendo per villam non incedant, et tunc non soli sed cum honesta et decenti comitiua, ne forte, si ceciderint, non habeant subleuantem. Et si quis huius statuti seu precepti transgressor inuentus fuerit, iudicio Capituli grauiter puniatur."

Contra solos vagantes in opido.

(Judicio capituli.) (Contra receptores mulierum.)

Ad hec et nos mulierem quamlibet prohibemus cum vicariis in eorum domibus commorari quamcunque propinquam, ne hoste humani generis instigante sub specie † liciti quicquid illicitum committatur, vel saltem scandalum generetur quomodolibet in futurum: que omnia firmiter precipimus obseruari.

† f. 20^{b} = p. 52.

§ XXXII. *De ministrorum absencia minime procuranda.*

Priscis visum est quandoque temporibus, quod quidam vicariorum postquam in Ecclesia nostra Sar' fuerint admissi, et de dominis suis acquietandis in horis diurnis et nocturnis prestiterunt corporaliter iuramentum, illi aliorum insistentes obsequiis exterius, et incumbens sibi interius ministerium derelinquentes, suam huiusmodi absenciam voluntariam, nunc per preces, nunc per minas,

do now, to the praise of good men and retribution upon the evil, decree, that in future if any, after being a first and a second time reproved and corrected on the ground of carnal sin, shall have fallen a third time and been convicted of the same, or, being of openly evil report with good and virtuous men, shall have been unable to purge himself canonically, he is to be by sentence of the Chapter deprived for ever of his vicarship, and by no means admitted thereafter to any other, except, by the Divine grace inwardly moving him, he shall have so reformed his life and character as to have deserved to obtain the special indulgence of the Chapter herein. And forasmuch as men must abstain not only from evil but from all appearance of evil, and from everything whereby occasion of evil and scandal can arise, We do decree, ordain and command that the Vicars of our Church go not running about the streets and squares of the town, without reasonable cause, and even then not alone, but together with some seemly and becoming company, lest if perchance they fall they have none to raise them. And if any shall have been found transgressing this statute or precept, let him be severely punished by sentence of the Chapter."

In addition whereto, We do forbid any woman whatsoever, however near of kin, to dwell with the Vicars in their houses, lest, at the instigation of the Enemy of mankind, under the appearance of what is lawful, aught that is unlawful be committed, or at least grave scandal be caused in whatsoever way for the time to come. All of which We command to be strictly observed.

§ XXXII. *Of the absence of Ministers, that it be by no one procured.*

In days of old it was at times observed that some of the Vicars, after being admitted in our Church of Salisbury and making corporal oath touching the performance of their duty to their masters as regards the Day and Night Offices, did, while attending on the service of others outside the Close, neglect the ministration incumbent on themselves within it, and did procure such their wilful

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et quandoque illata ac alias inferenda obaudientibus et ecclesie grauamina procurarunt, suas nichilominus vicarias interim detinendo, que et nos presenti ordinacione vt pote periurium inducencia penitus reprobamus, inhibentes sub pena periurij ne quis vicariorum hec vel hiis similiter procuret fieri, vel ut fiant consenciat in futurum, seu facta fortassis rata habeat vel accepta. ¶ Illum etenim qui contrarium (quod absit) attemptare presumpserit, quouis modo, arte, colore, quesitis, vel ingenio, prefate ecclesie infidelem, et tanquam libertatis eiusdem perturbatorem, lata in hac parte publice et palam excommunicacionis sentencia innodatum intelligimus et periurum; statuentes vt ille qui per affectatam, vt est dictum, absenciam, incumbens sibi ministerium neglexerit adimplere, preter penas predictas, quarum in potestate nostra mitigacio non existit, tamen pro tempore sue absencie, eciam si ad ecclesiam quandoque reuersus fuerit, subtrahatur tam in stipendiis sibi a domino suo persoluendis quam ceteris quibuscunque dicte ecclesie prouentibus quantum sibi poterit prouenisse si incumbens sibi ministerium personaliter residens impleuisset. Facultate tamen licenciandi quoscunque exituros ecclesie ministros, et eos qui quandoque minui se affectant, cum Decanum et specialiter eius locum tenentem abesse quandoque contigerit, illi canonico reservata, qui inter residentes * maior fuerit tunc inventus, qui eciam in absencia huiusmodi, in hiis que sub visu ipsius in ecclesia per ministros eiusdem committi contigerit, vel omitti, et de facili poterunt reformari, nec absque scandalo incorrecta differri auctoritate huius statuti nostri habeat potestatem.

Nota quarum mitigacio in nostra potestate non existit.

Maior inter residentes in absencia decani vel sui locum tenentis habet potestatem licenciandi et reformandi.

* f. 21 = p. 53.

absence, sometimes by entreaties and sometimes by threatenings, and at times by accusations brought or threatened against those who complied not with them, and against the Church, while nevertheless keeping meanwhile their vicarships; the which conduct We also by the present ordinance do utterly condemn as tending to perjury, forbidding any of the Vicars, under pain of perjury, to procure anything of the kind to be done, or to consent in future to it being done, or, if perchance it be already done, to treat it as settled and accepted. For him who shall presume (which God forbid) to attempt the contrary, by whatever manner, art, pretext, device or trick, We count disloyal to the aforesaid Church, and as an overthrower of the liberty of the same, involved therefore in the sentence of excommunication publicly and openly pronounced in this regard, and forsworn; decreeing that if any shall have neglected to perform the ministration incumbent on him by means of a pretended absence, as before described, besides the aforesaid penalties, the mitigation whereof lieth not in our power, yet for the time of his absence, even if he shall have at some time or other returned to the Church, he shall suffer subtraction as well in the stipend to be paid to him by his master, and in the share of all other profits of the same Church whatsoever, which might have come to him had he fulfilled the ministration incumbent on him, residing personally; authority nevertheless to give leave to whatever Ministers of the Church are about to go away, and to those who at one time or another require to be bled, being reserved (at such times as the Dean, and especially his *locum tenens*, shall chance to be absent) to the Canon who shall be found to be senior among the residents; who, even in the case of such absence, shall by the authority of this our statute have power to deal with those matters which may chance to be committed or omitted in the Church under his eyes by the Ministers of the same, and which can be easily reformed, and cannot without scandal be deferred uncorrected.

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f. 21.

§ XXXIII. *Quando, per quos, et vbi debent ad mensam ministri ecclesie inuitari.*

Cum frequenter consueuerint vicarij absencium Canonicorum in matutinis existentes ad laboris sui solacium et vt libencius ecclesiam frequentarent a vicariis Canonicorum presencium, dum cantabatur in ympno ambrosiano versiculus *Per singulos dies*, vel versus cum *Gloria* ultimi responsorii ante laudes, vel per girum chori, vel affeccionem familiarem pro arbitrio residencium Canonicorum ad mensam cum illis crastinam euocari, que vocacio nec necessaria consueuit a veteribus sed, prout est, *curialitas*[1] nominari, et iam vicarij huiusmodi inuitantes quandoque de die et extra ecclesiam tales faciunt invitaciones, propter quod neggligunt taliter inuitati tanto magis horis matutinalibus interesse : statuimus, ut ex nunc nullo vnquam tempore vicarius vicarium ad mensam domini sui presumat aliqualiter inuitare, nisi quem in decantacione predicta per se inuenerit horis matutinalibus personaliter interesse ; ¶vicario alio modo quempiam inuitante, in subtrahenda sibi sequentis diei communa, quam fabrice ecclesie modis omnibus applicari volumus, puniendo. ¶Alios tamen vicarios et ecclesie ministros bene meritos, licet propter impotentiam, vel aliam causam rationabilem, horis non interfuerint forsitan matutinis, possunt Canonici per aliquos suorum familiarium ad mensas suas cum placuerit inuitare.

[1] The word *curialitas* seems to be used in much the same sense as when we speak in law of the "*courtesy* of England," meaning by it "customary usage" under certain circumstances. Those curious on the subject may see much in Skene's exposition of the Regia Majestas of Scotland (1681). See also Jacob's *Law Dictionary*, *sub voce*. (*J.*) The Vicars of Canons had been in the habit of issuing (during the singing of *Te Deum* at mattins) the usual invitations to dinner, on the

§ XXXIII. *When, by whom, and where the Ministers of the Church should be invited to Table.*

Forasmuch as the Vicars of absent Canons at Mattins, for the solace of their labour and that they might attend Church more gladly, have ofttimes been accustomed, during the singing of the verse in the Ambrosian Hymn "*Day by Day*," or the verse with *Gloria* of the last responsory before Lauds, to be invited by the Vicars of Canons present, either by rotation round the Choir, or moved by personal friendship, at the pleasure of the resident Canons, to share their table on the morrow; the which bidding was not wont to be deemed obligatory by our forefathers, but was called, as indeed it is, a courtesy; and whereas, on occasion, such inviting Vicars give the invitations in the day time and outside the Church, by reason that those who are thus invited are the more neglectful to be present at the matin Hours: We decree that at no time hereafter shall a Vicar presume to give any invitation to another Vicar to his master's table, except such as he shall have himself found, during the singing aforesaid, to be personally present at the matin Hours. And a Vicar in other manner inviting any is to be punished by subtraction from his next day's commons, which forfeit it is our pleasure shall be wholly applied to the fabrick of the Church. Howbeit, other well-deserving Vicars and Ministers of the Church, even though, because of weakness or other reasonable cause, they chance not to have been present at Mattins, may be invited by the Canons, by means of some of their retainers, to their tables, at their pleasure.

Canons' behalf, to those Vicars whose "masters" were not in residence. They did so either going in rotation round the choir (asking one for one day, and another for another, in turn), or else inviting only those whom the Canon chose to invite as a matter of personal regard, favour, or courtesy. Cf. Bayeux *Ordinarium*, pp. 55, 56; Lincoln *Liber Niger*, p. 372 (at *Te Deum*), cf. p. 378 (at Mass), and E. W. Benson, *The Cathedral* (1879), p. 40.

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§ XXXIV. *De ministris ecclesie exterius beneficiatis.*

Ut euagandi materia ministris ecclesie nostre Sar', in quantum possible fuerit, auferatur, de vicarijs beneficia curata exterius iam optinentibus taliter ordinamus, vt illi videlicet † in ecclesia Sar' residentes dominos suos in horis diurnis et nocturnis sub debito iuramenti in hac parte prestiti, (contra quod dispensare, ut est dictum, aliqualiter non valemus), curent in posterum suo personali ministerio acquietare, ac si beneficia huiusmodi extrinseca, super quibus deliberatio nostra pendet, non fuissent ullo tempore assecuti.

† f. 21ᵇ = p. 54.

Episcopus non potest dispensare cum vicario habente beneficium curatum. q⁹? quos.

Nullus in posterum, huiusmodi habens beneficium, ad vicariam in ecclesia admittatur predicta, nisi illud duxerit resignandum. ¶ Et si quempiam admissorum, vel quandocunque admittendorum vicariorum, curatum beneficium contingat quouis tempore exterius adipisci, et primos fructus percepit pacifice ab eodem, illa quam tenuerat ipso iure vacet illico vicaria, per illum ad quem pertinet alteri conferenda, qui voluerit et valuerit ea que incumbunt onera plenius supportare.

Caueant vicarij beneficiati quia tenent duo incompatibilia.

§ XXXV. *Ne extra clausum vicarii sint in mensa, nec intra mensam teneant exterorum.*

Nunquam preterea in civitate, vel iuxta illam extra clausum Canonicorum Sar*um*, sint vicarii cum laicis vel clericis ad mensam aliquam in communa, quibus si conuenerint, quodcunque pro die illa ipsis ab ecclesia poterit prouenire penitus subtrahatur, fabrice ecclesie applicandum, de quo et huic similibus clericum operis in suo compoto per distributorem commune volumus specialiter onerari. ¶ In domibus quoque suis alios quam conuicarios, aut ceteros dicte ecclesie, ministros ad communam,

Nota quod dicit "clausum canonicorum."

Nota quod clericus fabrice

§ XXXIV. *Concerning Ministers of the Church beneficed outside.*

In order that, as far as possible, there be taken away from the Ministers of our Church of Salisbury all reason for wandering afield, We thus ordain concerning Vicars who now hold outside benefices with cure of souls, namely, that, residing in the Church of Salisbury, they give diligence hereafter to do their duty to their masters by their own personal ministration, both as regards the day and the night Hours, under the duty of their oath rendered in this behalf, against which, as We have said,[1] We have no power at all to dispense; and they are to do this as if they had never obtained any such outside benefices as those which We are now considering.

None hereafter, holding a benefice of this kind, shall be admitted to a vicarship in the aforesaid Church except he have resolved to resign the benefice. And if it shall happen that any one of those admitted, or at any time to be admitted, as Vicars shall at any time obtain an outside benefice with cure of souls, and if he hath peaceably received the first-fruits from the same, the vicarship held by him shall *ipso jure* forthwith stand vacant, and be conferred by the person whose right it is on another who shall be both willing and able to support more readily the burdens incumbent thereupon.

§ XXXV. *Vicars not to be entertained at Table outside the Close, nor to entertain Strangers within it.*

At no time are the Vicars, either in the City or hard by it, outside the Close of the Canons of Salisbury, to hold a common table with laymen or clerks. If they resort to them, they are to forfeit whatever allowances for that day can come to them from the Church, the same to be applied to the fabrick of the Church. With which matter, and others like it, it is our pleasure the Clerk of the Work be specially charged by the disburser of the common fund in his accompt. Also in their houses they shall not admit any others than their co-Vicars or the other

[1] See p. 234, above.

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male computat de istis.

Nota penam vicariorum vagantium extra clausum post ignitegium. Clausum Canonicorum.

* f. 22 = p. 55.

vel in expensis propriis, per quamvis ebdomadam non admittant, sed nec hospites aliquos in tantum moraturos quod recte intelligendo familiares, pocius quam hospites dici possint. ¶ Quos etiam sub eadam pena ipso facto si contrauenerint incurrenda: Reliquos vero ecclesie ministros, quocunque nomine censeantur, sub eadem pena vbi locum habere poterit, vel alia presidentis arbitrio moderanda, extra clausum Canonicorum post pulsatum in ecclesia maiori ignitegium,[1] statutum supradicti Petri Decani, alias super hiis editum approbantes, precipimus non va*gari, sed pocius sua petere receptacula horis et temporibus oportunis.

§ XXXVI. *De communa in absencia non percipienda.*

Cum melioris condicionis non debeat esse subditus quam prelatus, et Canonici voluntarie absentantes pro tempore sue absencie nichil percipiant de communa, ordinamus quod vicarii absentes, aliter quam pro negociis ecclesie et ex iniuncto presidentis et Capituli, nichil percipiant pro tempore huiusmodi absencie de communa; et hoc commune distributoribus sub debito iuramenti sui in hac parte prestiti obseruandum firmiter iniungatur.§ Canonici vero pro negociis ecclesie absentes, vel circa illa in Capitulo quandoque vel locis aliis ex bono obediencie necessario occupati, tantum in omnibus et singulis dicte ecclesie prouentibus percipiant cunctis temporibus in futurum, quantum essent intra ambitum ecclesie personaliter constituti, quomodolibet percepturi, quemadmodum

§ "iniungantur:" [illegible]

Nota pro Canonicis absentibus pro negociis ecclesie. [Cf. p. 28.]

[1] "Ignitegium." At a later time (1355 and 1387) the curfew at St. Edmund's was to be the signal for Vicars to be within the gates of the Close. (*Reg. Corff.*, f. 117; *Cornan*, f. 69.)

[2] Peter of Savoy (de Sabaudia) held the Deanery from 1297 until 1319, when he was nominated by the Pope to the Bishopric of Worcester, to which, however, King Edward II. did not admit him. One bearing

Ministers of the said Church to the common table, even at their own charges, for any week; nor yet guests who are likely to stay so long as to be liable rightly to be deemed members of the household rather than guests. Whom also under the same penalty (to be incurred, in case of disobedience, *ipso facto*) as well as the other Ministers of the Church, by whatever name they are reckoned (under the same penalty, when possible, or some other to be inflicted at the President's discretion) We charge not to wander abroad outside the Canons' Close after the ringing of the Curfew in the greater Church, approving the Statute of the aforesaid Dean Peter,[2] put forth heretofore in these regards, but rather that they repair to their lodgings at fitting hours and times.

§ XXXVI. *No share of the "Communa" to be received during absence.*

Seeing that an inferior ought not to be in a better condition than a superior, and Canons who are voluntarily absent receive nothing from the *Communa* for the time of their absence, We ordain that Vicars who are absent for any other cause than the affairs of the Church, and at the command of the President and Chapter, shall receive nothing out of the *Communa* for the time of such absence, and that this be enjoined upon the disbursers of the *Communa* under obligation of their oaths taken in this behalf, to be faithfully observed. But Canons absent on the business of the Church, or necessarily occupied thereabout at times in the Chapter or other places by virtue of their obedience, shall receive at all times in future as large a part in all and singular the profits of the said Church as if they had been personally residing within the boundaries of the Church; and they shall receive it without diminution, just as

his names was Archbishop of Lyons. Dean Peter was several times summoned into residence by Bishop Simon of Ghent in 1304 (*Gandavo Reg.*, ff. 45, 46). According to Canon Jones (*Fasti*, p. 313), he soon afterwards received licence of absence; so, presumably, the Statute mentioned in the text may have been issued about 1304–5.

A.D. 1319. et alii Canonici, eciam pro suis negociis propriis, diebus illis quibus egressi fuerint vel reuersi, ex antiqua ipsius ecclesie consuetudine (quam velut laudabilem approbamus) censentur et debent censeri, in percepcionibus huiusmodi, eciam residentes.

(Consuetudo approbatur.)

§ XXXVII. *De ministrorum rebellione et contumacia reprimendis.*

Quod autem vicariorum in ecclesie Sar' ministrancium nunc hos, nunc illos Canonici dicti loci ad mensam suam, pro sue beneplacito voluntatis, quandoque faciunt euocari, curialitatis ipsorum Canonicorum et non necessitatis, ea potissima racione existere declaramus, quod ex antiquo ipsius ecclesie statuto singuli in ipsa ecclesia ministrantes vicarii diurnos singulos debent percipere denarios eorundem Canonicorum de communa, siue in mensa, siue non, fuerint cum eisdem. ¶Ex qua siquidem curialitate quidam vicariorum delicati contra Canonicos ipsos in superbia et abusione recalcitrantes, dum, ipsorum Canonicorum exhaustis communa et redditibus,[1] eorundem † vicariorum proventus in communi cumulantur marsupio, non verbo tantum sed eciam facto, quod magis est, iactando, manifestius profitentur, se collectam habere pecuniam, contra Canonicos ipsos tociens in litibus expendendam, quociens ex commisso vel omisso diuisim vel coniunctim arguuntur. Aliquando singulari et quandoque communi nomine in vocem contradiccionis ac inobediencie et rebellionis actum ex more solito prorumpentes, conuenticula faciunt occulta, Canonicis detrahunt, status eorum diffamant, statuta ecclesie reprobant, lites illis mouent, dampna inferunt, moueri ve se seu inferri procurant, ordinaciones Episcoporum et Capituli contempnunt, Canonicis non tantum se pares, ex quibusdam predecessorum nostrorum statutis, sed maiores pretendunt, et ipsis Canonicis decretis et iudicio Capituli

Vicarij percipiunt, singulis diebus singulos denarios de communa Canonicorum.

(Contra inobedientes recalcitrantes.)

† f. 22ᵇ = p. 56.

Nota quod Canonici debent stare decreto Capituli.

[1] "*Nota* communa *et* red(d)itus *idem* significare." *Margin* (XVIIIth century).

other Canons also, absent on their own business, are, on the days of their departure and return, by old usage of the same Church (which we approve as praiseworthy) deemed, and ought to be deemed, even as resident, when such distributions are made.

§ XXXVII. *Of the repressing of rebelliousness and contumacy in Ministers.*

Whereas, of the Vicars ministering in the Church of Sarum, now some and now others are from time to time bidden by the Canons of the said place to their table, at their own good will and pleasure, that is to say, by the courtesy of the Canons themselves and not of necessity, for that reason most especially We do declare that under an old statute of that Church, all Vicars ministering in the said Church ought day by day to receive the pennies of the same Canons from the *Communa*, whether they have or have not been at table with them. Owing to which courtesy some mincing ones among the Vicars, turning on the Canons themselves with arrogance and abuse (while, the *Communa* and rents of those Canons being exhausted, the comings-in of the same Vicars are piled together in a common purse), not only in word but in deed, and, what is more, in boasting, do openly claim to have collected money, to be expended in lawsuits against the Canons themselves as often as they are reproved, severally or together, for something done or left undone. On occasion, individually and sometimes in concert, breaking out, as their wont is, into utterance of gainsaying and action of disobedience and rebellion, they form secret conspiracies, slander the Canons, defame their position, find fault with the statutes of the Church, set in motion suits against them, inflict injuries, or procure them to be set in motion or inflicted, despise the ordinances of the Bishops and Chapter, pretend to be not only the equals of the Canons, under certain statutes of our predecessors, but their superiors; and whereas the Canons necessarily defer to the decrees and decision of the Chapter, these Vicars,

A.D. 1319.

necessario obtemperantibus, illi,[1] quantum in se est, hoc efficere contempnunt, quamquam "servus domino maior non existat." Cum igitur ea que ab inicio bona existunt, si processu temporis incipiant occasio esse mali, ad instar serpentis enei primitus erecti et tandem comminuti, debeant reuocari, ac confundatur manifestius ordo iuris, si ouis pastorem feriat, discipulus doctorem castiget seu verberet, insurgatve filius in parentem, Nos, non obstantibus statutis seu scriptis predictis paritatem inter ipsos et Canonicos qualitercunque inducentibus, que utpote occasionem mali in hac parte inferencia ex certa sciencia tenore presencium reuocamus, vicarios illos Canonicis in nullo pares, sed subiectos eorum, vt pote sub illis et eorum vice ministrantes, iuxta racionis exigenciam, declarando, non ex avaricia, sed ut quorundam malicia retundatur, statuimus et etiam ordinamus, vt quandocunque et quociens iidem vicarii, vel eorum aliquis, premissa vel aliquod premissorum, aut illis quicquam simile, attemptare presumpserint, vel presumpserit quispiam illorum communiter vel diuisim in futurum, et de hoc per euidenciam aut de pla*no per faciendam super hoc in Capitulo probacionem, ad partis instanciam vel presidentis officium conuincantur, vel adeo fuerint diffamati, quod nequeant saltem iuramento proprio se purgare, si sibi a parte vel iudice graciose fuerit fortassis delatum, tociens et tam diu a mensis et familiaritate, nec tantum lesi, sed eciam quorumcunque Canonicorum, quorum se adversarios sic constituunt manifestos, penitus excludantur; et presentis statuti auctoritate maneant ex nunc prout ex tunc, semoti, donec semetipsos, nomina et statum ac officium suum, melius cognoscentes, destiterint penitus a premissis et singulis premissorum, ac aliis similibus illis quibuscunque, et dicti Capituli arbitrio paruerint reuerenter, nec priusquam paritum sic fuerit cum effectu, absque huiusmodi

[*Joh.* xiii. 16.]

[*Num.* xxi. 8; 4 *Reg.* xviii. 4.]

Vicarios in nullo pares sed subiectos Canonicis.

* f. 23 = p. 57.

Capituli arbitrio paruerint.

[1] "Scilicet vicarii" (*gloss on* "illi"): *interlined in* E., p. 56.

to the best of their power, scorn to do so, albeit "the servant is not greater than his lord." Seeing then that things which at first were good, if in process of time they begin to be the occasion of evil (like the brazen serpent that first was lifted up, and in the end was broken in pieces), ought to be revoked; and seeing that the rightful order is plainly thrown into confusion if the sheep beat the shepherd, the learner chastise or strike the teacher, or the son rise up against the parent; now, notwithstanding statutes or writings aforesaid that seem to bring in some equality between them and the Canons—the which as giving occasion of evil in this behalf we do of our certain knowledge by the tenour of these presents revoke—We (declaring in accordance with the exigence of reason that those Vicars are in nothing the equals of the Canons, but their subordinates, as ministering under them and in their stead), out of no avarice but to the end that the malice of some be blunted, do decree and also ordain that, as often as and whensoever the same Vicars, or any one of them, shall presume, or any shall presume to attempt the offences premised, or any of them, or anything of the like nature, jointly or severally, and shall be convicted of this by evidence, or manifestly by proof thereof being given in Chapter, at the instance of a party or by the office of the President, or have been so ill reported of as to be unable at least to purge themselves by their own oath, if information have perchance been lodged voluntarily against them by the party or the judge, so often and so long they shall be utterly shut out from the tables and the intimacy not only of the injured person but of all the Canons whatsoever, whose open enemies they thus constitute themselves. And by the authority of the present statute they are to remain secluded, from now as from then, until, having better knowledge of themselves, their designations, condition and office, they shall have desisted wholly from the offences premised, and from every of them, and from all other like offences whatsoever, and have reverently obeyed the judgement of the said Chapter. Nor before there has been such effectual obedience, without any

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statuti transgressione, cuiquam Canonico, ipsos vel eorum aliquem ad mensam suam, vel aliam extra ecclesiam familiaritatem quamcunque, liceat reuocare. ¶ Nec admiracione dignum a sano capite poterit reputari, quod statuitur in hac parte, cum opus multis grassantibus sit exemplo, et diuersos ipsius ecclesie Canonicos, quandoque eciam, vicarios proprios a mensis suis et familiaritatibus memoratis, cum et prout ipsis placuit, licet et licuit, proprium secutos arbitrium, nouimus diversis temporibus exclusisse. ¶ Per hanc vero constitucionem bene meritos in ecclesia efficacius laborantes a dictis non intendimus beneficiis elongare, sed dicte curialitatis beneficium, nullo unquam tempore, preterquam ad Canonici beneplacitum cuiquam illorum, sed nec vicario proprio, exhibendum, demeritis subtrahere, donec ex indignis prestita caucione, iudicio Capituli competente, quod ab huiusmodi excessibus et similibus abstinere debeant temporibus tunc futuris sese reddiderint iterato dicta curialitate et gracia bene dignos.

Curialitas mensalis non est exhibenda vicario proprio, nisi ad beneplacitum Canonici.

§ XXXVIII. *De reliquiis, et veneracionibus Sanctorum.*‖

‖ *This rubric is cancelled in* MS. E.

† Nunquam vsus, consuetudo cuiusuis ecclesie, vel statuta sano capite intellecta, obstiterunt, quominus licet et licuit Christi fidelibus, auctoritate ecclesie presertim suffultis, diuinum obsequium modo deuociori quo semper et vbique fieri poterit devocius ampliare. Hoc sane intelligentes vsum ecclesie nostre inter aliarum ecclesiarum usus mirabiliter § approbatum, quem in Domino commendamus, non mutare, sed in bono augere pocius intendentes, ad laudem et honorem illius qui nullis inclusus limitibus veritas et non consuetudo existens, in sanctis suis permanet gloriosus, dictorum presidentis et Capituli assensu gratissimo concurrente,—statuimus ut cum *Festum*

† f. 23^{b} = p. 58.

§ $\overset{r}{m}$: E.

transgression of this statute, shall it be lawful for any Canon to recall them, or any of them, to his table or other intimacy outside the Church, whatsoever. Nor can what is ordained in this behalf be accounted matter for wonder by any sane person, seeing that many vagabond persons need an example, and we know that divers Canons of the same Church have on occasion, at divers times, excluded even their own Vicars from such their tables and familiar fellowship, when and as it pleased them, and as is and hath been lawful, following only their own discretion. Yet by this constitution we intend not to separate deserving persons, labouring effectually in the Church, from the said benefits, but only to withdraw from the undeserving the benefit of the said courtesy, which must never be shown to any of them save at the good pleasure of the Canon, not even to his own Vicar, until, a pledge in the judgement of the Chapter competent having been tendered by the unworthy, that they feel bound to abstain thereafter from these and the like excesses, they shall have rendered themselves again worthy of the said courtesy and favour.

§ XXXVIII. *Concerning Relics, and the Veneration of Saints.*

Never have the use and custom of any Church, or the statutes thereof sanely understood, hindered that it be and hath been lawful to the faithful of Christ, more especially when they lean upon the authority of the Church, to enlarge devotionally the Service of God, in a more devout manner than will always and everywhere be possible. Having understanding hereof assuredly, and intending not to change the usage of our Church, which is marvellously approved among the usages of other Churches—and We commend it in the Lord—but rather to increase it in value, to the praise and honour of Him who, being (as enclosed by no limits) the Truth and not Custom, abideth glorious in His saints, We do now, with the concurrence of the very welcome assent of the said President and Chapter, ordain, that, since the

A.D. 1319. *Reliquiarum* in mense Septembris, tam propter concurrencia festa, quam occupacionem rerum rusticarum, que homines subtrahunt frequencius a diuinis, et alias certas causas, nequeat in dicta ecclesia nostra commode [*Sunday next after* July 7th.] celebrari, illud proxima die dominica post festum translacionis S. Thome Martyris mense Julij, cum concessis huius rei gracia indulgenciis solempniter; et festum deposicionis S. Hugonis, olim Lyncoln' episcopi et Confessoris, cum nouem leccionibus, oracione, secreto, et postcommunione propriis, et historia de communi vnius confessoris et pontificis, sub quinto decimo kalend. Decembr' [Nov. 17] in ipsa annis singulis deuote futuris et perpetuis temporibus celebrentur; necnon et in laudem illius beate peccatricis, Marie videlicet Magdalene, que resurgentem Dei filium inter mortales primo est intuita, in festiuitate sua tres ympni illi plurimum congruentes, et quorum hec sunt principia, *Collaudemus Magdalene*, ad primas vesperas, secundum cantum ympni *Urbs beata Ierusalem;* ad matutinas *Estimavit ortolanum*, secundum cantum ympni *Tibi, Christe, splendor Patris;* et in laudibus * f. 24 = p. 59. et ad secundas vesperas * *O Maria noli flere*, secundum cantum ympni *Urbs beata Ierusalem*, in ecclesia nostra Sar' predicta annuatim decantentur.[1]

Dies preterea dedicacionis Ecclesie nostre predicte, nedum in illa sed eciam in singulis ecclesiis Ciuitatis nostre et eorum parochiis feriata solempniter ab omni opere seruili deinceps habeatur. Et ut ad Dei veneracionem, et dicte ecclesie honorem, fidelium mentes propensius excitemus, omnibus parochianis nostris, et aliis quorum diocesani hanc nostram ratam habuerint indulgentiam,[2] qui, de peccatis vere contriti et confessi, sub die predicto deuotionis causa ecclesiam visitauerint antedictam, quadraginta dies de iniuncta penitencia misericorditer relaxamus, ratificantes indulgencias huius rei gracia rite concessas et in posterum concedendas.[3]

[1] On the hymns for St. Mary Magdalene's Day, see below, A.D. 1449. Ordinances for the Vicars, No. 2.

[2-3] The words "indulgentiam . . . concedendas" are cancelled in MS. E. (as well as the *rubric* at the head of this and certain other chapters, viz. 22, 23, 24, 38, 39, 43). Some annotator of the Table of Contents in the same MS. has put a slight dot against these same sections, and also against Nos. 40–42, and possibly also against No. 44. A large cross is marked in the margin of the text against the rubrics of capp. 22, 23, 30, 38, 39, 43.

Feast of Relics in the month of September, as well because of concurring festivals as the occupation of husbandry (which ofttimes withdraws men from Divine worship) and other certain causes, cannot be conveniently celebrated in our said Church, it be celebrated on the next Lord's Day after the feast of the Translation of St. Thomas the Martyr, in the month of July, solemnly, with the indulgences granted in this behalf. Also that the feast of the Deposition of St. Hugh, sometime Bishop of Lincoln, and Confessor, be celebrated therein in nine lections, proper collect, secret and post-communion, and "history" from the common [service] of one confessor and prelate, on the fifteenth day before the Kalends of December, devoutly, year by year, for all time to come. Further, that to the praise of that blessed "sinful woman," Mary Magdalen to wit, who first among mortals beheld the resurrection of God's Son, on her festival three hymns (which be most befitting thereto) be sung every year in our Church of Salisbury: of which these are the beginnings—*Collaudemus Magdalenæ* at first Evensong, to the tune of the hymn *Urbs beata Hierusalem;*[4] at Mattins *Æstimavit hortulanum*, to the tune of the hymn *Tibi Christe splendor Patris;* and at Lauds and at second Evensong, *O Maria noli flere*, to the tune of the hymn *Urbs beata Hierusalem.*

Moreover the day of the dedication of our aforesaid Church, not only therein but in all the Churches of our City and their parishes, shall be hereafter kept solemnly, as a holiday from all servile work. And to the end that we may stir up the minds of the faithful more gladly to the worship of God and the honouring of the said Church, to all our parishioners and others whose diocesans have ratified this our indulgence, as many as, having truly repented and confessed their sins, shall on the aforesaid day of devotion visit the aforesaid Church, We do mercifully relax forty days of the enjoined penance, ratifying the indulgences duly granted, and hereafter to be granted, in this behalf.[5]

[4] *Urbs beata Hierusalem*: "Blessed city, heavenly Salem."

[5] See a *List of* 160 *Pardons or Indulgences for Wiltshire*, contributed by C. Wordsworth to the *Wilts. Archæological Society's Magazine*, xxxviii. pp. 15–33 (1913).

A.D. 1319.

§ XXXIX. *De missa beate Virginis in altari Sancte Trinitatis, et commemoracione in choro, et aliis concurrentibus solempnius celebrandis.*‖

(Nota bene.) ‖ *This rubric is cancelled in* MS. E.

Ut Domino nostro Jhesu Christo, et eius matri Virgini gloriose patrone nostre, sub quorum proteccione vivimus, mouemur et sumus, seruiatur in nostra Saresbir' Ecclesia laudabilius in diuinis, circa missam ad Dei et dicte Virginis honorem ad altare S. Trinitatis cotidie celebrandam, illa innouamus et precipimus firmiter obseruari que in congregacione facta per Robertum, Decanum,[1] et Capitulum nostrum Sar' sub anno Domini millesimo ducentesimo sexagesimo octauo ordinata fuerant in hec verba:—"Adhuc antiqui patres et predecessores nostri gloriose Virgini, in cujus honore nostra fundatur et consecratur ecclesia, speciale munus sacrificii in ipsa ecclesia offerri estimantes conueniens, pia devocione ordinarunt vt certus vicariorum numerus celebracioni misse ipsius Virginis personaliter debeat interesse, et quedam allectiua munera—denarium videlicet diurnum singulis—prouiderunt. † Sed, quod dolentes referimus, sunt nonnulli qui tum pro vice sua debeant interesse, vel non veniunt, vel ita tarde et inordinate accedunt, quod post eorum aduentum de acceleratione magis quam de solempnitate seu veneracione solliciti existentes, quod in honore Virginis est prouisum, multoties a multis trahitur in derisum, dum ipsius matris nostre cultum de cuius fonte gracie similiter et abundantie adquirimus tota die, et quam singula collegia cum canticorum jubilacione et sonora vocum modulacione pre ceteris nituntur extollere, per huiusmodi corporis ignauiam conspiciunt heu! quasi derelictam. ¶ Huic igitur morbo eo quo possumus remedio occurrere cupientes, precipimus ac etiam ordinamus, ut hii qui

[A.D. 1268.]

† f. 24ᵇ = p. 60.

'Pro missa marie celebranda." *Upper margin.*

[1] Robert de Wykehampton held the Deanery from 1258 until he

§ XXXIX. *Concerning the Solemn Celebration of the Mass of the Blessed Virgin at the Altar of the Holy Trinity, and the commemoration in Choir, and other particulars.*

To the end that our Lord Jesus Christ and His Mother the glorious Virgin, our Patroness (seeing that under their protection we live and move and have our being), may be more laudably served in Divine worship in our Church of Salisbury, as touching the Mass to be so often celebrated to the honour of God and the said Virgin at the altar of the Holy Trinity, we renew, and order to be firmly observed, the ordinances which were made in the Congregation held by Dean Robert and our Chapter of Salisbury in the year of our Lord one thousand two hundred sixty and eight, in these words:—"Heretofore the Fathers of old time and our predecessors, deeming it convenient that a special gift of Sacrifice be offered in our Church to the glorious Virgin, in whose honour that Church is founded and consecrated, did of pious devotion ordain that a certain number of Vicars be bound to take part personally at the celebration of the Mass of the Virgin, and provided certain money inducements, viz. a penny per day to each. Nevertheless (which we relate with grief) there are some who at that time ought to be present in their turn but come not, or come so tardily and carelessly that after their arrival (they being more concerned for speed than for solemnity or reverence), that which hath been provided in honour of the Virgin is ofttimes drawn by many into derision, while the worship of the same our Mother, from whose fountain of grace and abundance alike we draw day by day, and whom above the rest all Colleges endeavour to extol with jubilant songs and tuneful modulation of voices, is seen by them, alas, to be left as it were deserted, because of bodily laziness of this kind. Accordingly, being desirous to meet this disorder with what remedy we may, we command and also ordain that those who are bound, in their due turn, to

became Bishop of Salisbury in 1274. For other citations of his Statutes, see §§ 29, 31.

A.D. 1319. predicte misse pro tempore suo debent interesse statuta ad hoc hora impigre accedant, officium, pro quo conuenerunt, ea qua possunt solempnitate pariter completuri, sequencias et cantus alios secundum temporum varietatem variantes. ¶Si quis autem de cetero in hoc necgligens inuentus fuerit vel remissus, non solum eo quod pro missa accipere debeat, sed eciam communa sua pro tempore ipso priuetur. Et vt omnis ambiguitas tollatur, vt qui campana adhuc pulsante per quam congregantur, vel saltem ad pulsacionem secunde campane, non venerint, quantum ad illum diem pro absente reputentur, de missa vel de recepcione cotidiana nichil ea die recepturi."

(Pena necgligentis venire ad missam beate Marie.)

Hiis autem antiquitus sic prouisis, Nos, Rogerus, Episcopus supradictus, ex hac nostra ordinacione adiciendo hoc duximus, consensu dictorum presidentis et Capituli, ordinandum, vt per subtractionem commune, fabrice applicande, quod in hac parte est penaliter ordinatum, ad pene quantitatem plenius impleatur; quod eciam de illis intelligimus qui cum per se non venerint, alios tamen stare loco sui procurant, ad modulandum in nullo vel in modico intendentes, sed ad hoc tantum, ut loco illorum numerus habeatur. * Vicarii etiam in missis que in choro dicte ecclesie nostre singulis septimanis in commemoracione beate Virginis celebrantur, non, ut ex more factum est frequenter, pro percipiendo hac occasione denario per se intersint tantummodo dum cantatur sequencia sive prosa, sed a principio misse usque ad finem absque exitu, cessante causa legitima, perseuerent. Alioquin tantum a communa illius diei subtrahatur taliter facientis fabrice dicte ecclesie applicandum, quantum esset, perseuerans et debitas modulandi vires apponens in commemoracione huiusmodi, percepturus.

Absentes non excusantur, licet alios loco suo stare procurent.

* f. 25 = p. 61.

(Nota pro missa B. Marie) a principio misse vsque ad finem.

Nulli preterea vicariorum de cetero nouas exequias introducant in ecclesiam antedictam pro quocunque legato

Nota contra Notingham.

take part in the aforesaid Mass at the hour prescribed thereunto, be not slack to apply themselves to the office for which they have come together, and with all the solemnity possible complete alike the sequences and other chantings, varying with the different seasons. But if any hereafter be found negligent or remiss in this matter, let him lose not only that which he ought to receive for the Mass, but also his *Communa* for that time. Also, for the removal of all doubtfulness, let those who have not appeared while the bell, by which they are called together, is still tolling, or at least at the tolling of the second bell, be counted for absent as regards that day, and look to receive nothing that day from the Mass or from the daily reception."

To these provisions thus made of old time We, Roger, the above-mentioned Bishop, have by this our own ordinance made addition, and with the consent of the said President and Chapter have deemed fit to order that by a subtraction from the commons, to be applied to the fabrick, the penalty ordained in this behalf shall be fully exacted to the full amount of the punishment; which also we interpret of them who, not having come themselves, nevertheless procure others to stand in their room, having regard not at all or but little to the performance of the music, but only to the making up the number in their place. Further, as touching the Vicars at Masses celebrated weekly in the Choir of our said Church in commemoration of the Blessed Virgin, let them not, as hath frequently been done, be present in person (for the purpose of receiving their penny on this occasion) only during the singing of the sequence or prose, but let them remain without going out from the beginning of the Mass unto the end, in the absence of lawful excuse. Otherwise let so much subtraction be made from that day's *Communa* due to the one who doth thus—the fine to be applied to the fabrick of the said Church—as he would have received if he had remained and applied all due ability in music at such commemoration.

Furthermore, let none of the Vicars henceforward introduce strange exequies into the aforesaid Church for

A.D. 1319. sibi relicto, aut in posterum relinquendo, absque loci Canonicorum consensu expressius adhibendo. Sed nec veteres prosequantur in vocem altam subito prorumpentes, et Canonicos, qui hoc diuinare non poterant, ab expediendis ecclesie negociis et aliis suis horis continuandis, impediant, nisi super hoc die illo saltem in missa fuerint iidem Canonici premuniti, neque disposicionem dicte ecclesie que ad Nos, Episcopum et Capitulum supradictos, corpus eiusdem misticum facientes, dinoscitur pertinere, sibi usurpare presumant, sed dispositum sibi a corpore predicto ministerium in prefata ecclesia, cum obsequendi necessitate vice dominorum suorum, vt nomina sua consona rebus fiant, tantummodo exequendum, curent iuxta status sui exigenciam deuote et humiliter adimplere.

Obitus. Obitus vero pro animabus infrascriptis,[1] videlicet, Regis Henrici, filii Matilde Imperatricis; Johannis, Regis; et Henrici; obitus clare memorie Edmundi, quon-

(Obitus comitis Cornubiæ.) dam comitis Cornubie,[2] in ecclesiasticis obsequiis et aliis prout fieri debent, fiant suis temporibus in futurum, et tunc in pulsando sacriste, ad vesperas que ante ipsas obsequias dici debent, tanto curent tempus solitum

† f. 25b = p. 62. prevenire † quanto pro incumbentibus, tunc modo debito exequendis, chorus ecclesie ampliori tempore indigebit.

§ XL. *De choro frequentando.*

Nota quod Cantariste Consueuerunt Capellani in ecclesia celebrantes, et alii perpetuas habentes cantarias, necnon et altariste, saltem

[1] King Henry II. (fitz-empress), *obiit* 6th July, 1189.
King John, *ob.* 19th Oct. 1216.
King Henry III., *ob.* 16th Nov. 1272.
Edmund, Earl of Cornwall, *ob.* 1st Oct. 1300.

[2] "Obitus comitus Cornubie, de gardino de Mer," with a payment of 6*d.* to the Vicar, and the residue to the Canons, occurs on 1st April. But this was probably *Richard* Earl of Cornwall; and certainly the Obit of Henry II. (Fitz-empress), 6th July (1189) King John, 19th Oct. (1216), and Henry III. 16th Nov. (1272), had ceased to be entered in the sufficiently crowded Kalendar which was prefixed (*cir.* 1446-52) to the

any legacy left, or thereafter to be left, to him, without the expressly given assent of the Canons of the place. But neither let them, in performing the old ones, break forth suddenly into a high voice, or impede the Canons, who could not be prepared for it, from doing the business of the Church and performing their other Hours continuously, unless on that day—at any rate at Mass—the same Canon shall have been forewarned of this. And let them not presume to take to themselves the arranging of the said Church, which is well known to belong to Us, the aforesaid Bishop and Chapter, making the mystical Body of the same, but let them give diligence, according to the exigence of their position, devoutly and humbly to fulfil the ministry assigned to them in the aforesaid Church by the aforesaid Body, the which is only to be performed, under an obligation to obey vicariously for their masters: so that names and things may be in accordance.

But the Obits for the souls written below—to wit, of King Henry son of the Empress Maud; of King John and Henry; the Obit also of Edmund of famous memory, sometime Earl of Cornwall—are to be observed in future at their own seasons, in such manner as they ought to be observed in the obsequies of the Church; and for other such. And at the time of the tolling for the Evensong which is bound to be said before the obsequies themselves, let the Sacrists give diligence to be there so much earlier before the accustomed time, according as the Choir of the Church will need longer time for performing in due manner the offices then incumbent on them.

§ XL. *Of Frequenting the Choir.*

It hath been the wont of the Chaplains celebrating service in Church, and of others having perpetual chantries,

Statute Book (MS. E.) which is printed in C. Wordsworth's *Salisbury Ceremonies*, pp. 229–242. Prayers were, however, bidden with the other Beads on Sundays in the Cathedral for "Herry the secunde . . . Kyng Jonnys soule," and "the kynges soule Herry the thryd" (*ibid.*, p. 29). As to a gift of a garden from *Richard*, Earl of Cornwall, King of the Romans, see under 13th Dec. entered in the Martyrology (*ibid.*, p. 292) from Leland's *Itinerary*.

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tenentur interesse in dominicis et festis .ix. lectionum.

in festis nouem leccionum, chorum cum vicariis frequentare, cantareque ac legere, intabulati aliquociens cum eisdem, quod cum sit ad tempus aliquod pretermissum, volumus et statuimus in posterum obseruari, et necgligentes, arbitrio presidentis et Capituli, ad id compelli si oporteat et puniri. ¶Sacerdotes eciam Canonicorum et honesti clerici eorundem commensales, ad decorem ecclesie diuinique cultus augmentum, in habitu chori[1] cum dominis suis, si voluerint interesse misse, et aliis horis poterunt, dum commensales fuerint, interesse, dummodo presidentis super hoc licencia petita fuerit et obtenta, prout retrolapsis temporibus sepe dinoscitur esse factum.

§ XLI. *De processionibus in ecclesia solempniter faciendis.*

Processiones.

Rem non nouam introducere proponentes, sed vetera salubriter ordinata et aliquamdiu obseruata, que iam in desuetudinem abierunt, ad decorem ecclesie innouantes, ordinamus quod tam Capellani sanctorum Edmundi, et Nicholai, Sar', quam eciam scolares de vallibus, ad decorem ecclesie moueantur, et si necesse fuerit per presidentem et Capitulum compellantur, solitis processionibus, vt antiquitus consueuerant, interesse, et dicti Scolares studere prout eisdem primitus fuerat ordinatum, hoc adiecto, quod si dicti scolares, quos, in hiis et aliis, dictis Canonicis et ecclesie contradictores audiuimus et rebelles, hoc sponte noluerint ad * implere, per deputatum sibi custodem, et eo deficiente, per Decanum et Capitulum, qui patroni eorum existunt, modis et viis quibus poterunt ad hoc competentibus compellantur.

* f. 26 = p. 63.

[1] *In habitu chori.* In the "Ordinatio" given by Bishop Poore and his Chapter for the four priests, Chaplains of Faringdon and Coxwell Chapelry, Berks., then a prebendal church and chapel in this diocese, 3rd Oct. 1227, they were directed to attend all the canonical Hours and the mass of the day "*induti superpellicio et capa clausa nigra, more*

and also of the Altarists, at any rate on the feasts of nine lessons, to frequent the Choir together with the Vicars, and to sing and read, being sometimes placed on the list with the same. The which custom, having been for some time pretermitted, We will and decree to be for the future observed, and that such as neglect it be, at the discretion of the President and Chapter, compelled thereto, if need be, and punished. Also Canons' Priests and Clerks of good repute who share the table of the same, if, for the glory of the Church and enrichment of Divine worship, they have chosen to take part at Mass with their masters in Choir-habit, will be able to take part at other Hours also, so long as they are table-fellows, provided that the President's leave have been sought and obtained for this, according as it is known was frequently done in times gone by.

§ XLI. *Of the solemn Performance of Processions in the Church.*

Not as proposing to introduce any new custom, but as renewing, for the glory of the Church, old customs wholesomely ordained and somewhile observed, which now have fallen into disuse, we ordain that as well the Chaplains of Saints Edmund and Nicholas of Salisbury as the Scholars of De Vaux, for the glory of the Church, be moved, and if necessary be compelled by the President and Chapter, to take part in the accustomed Processions as they were wont of old time, and the said Scholars to study according as was ordained at the first, with this addition, that if the said Scholars, whom we have heard to be in these and other matters gainsayers and rebellious against the said Canons and Church, shall refuse to fulfil this duty of their own accord, they be compelled by the Warden assigned to them, and, failing him, by the Dean and Chapter, who are their patrons, in such manners and ways competent thereunto as they shall find possible.

clericorum Sarum Ecclesie. The Vicar and one of the other chaplains were placed on one side of the choir, and the two others opposite. *Sarum Charters* (R.S.), 188.

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§ XLII. *De cantariis in ecclesia conferendis.*

Ut in maiori numero ad Dei laudem diuinum in prefata ecclesia persoluatur obsequium, ordinamus, vt per illos ad quos pertinet perpetue deinceps cantarie talibus conferantur personis que non habent vnde possint alias sustentari, et que velint personaliter et continue cantarias huiusmodi adimplere, nisi de voluntate eorum qui eas ordinarunt circa huiusmodi collacionem aliter fuerat in ipsarum primordio constitutum.

‖ *This rubric is struck out in* MS. E.

§ XLIII. *De missis successiue in ecclesia celebrandis.*‖

Quia propter vigilias nocturnas, quas omnes dicte ecclesie [decet] vicarios obseruare, ante missam beate Virginis, nequeunt illi eciam si voluerint comode celebrare in eadem,—Ordinamus vt alii sacerdotes stipendiarii quicumque fuerint in illa quouis tempore ministrantes, a missa que ex more in aurora diei celebratur ita celebrent continue et successive,[1] usque ad missam beate virginis, ne tempore ipso intermedio pro diuinis audiendis convenientes ecclesia Cathedrali dimissa, sicut frequencius visum fuit, petant oratoria exterorum, proviso quod antequam is qui prior incepit missam compleuerit, posterior suam incipere non presumat, prout super hiis fuerat alias ordinatum. ¶ Quis vero prior posteriorve haberi debeat in hac parte, presidens Capitulo annis singulis in principio mensis Octobris, et alias quociens sibi expedire visum fuerit, moderetur. ¶ Sacerdotes vero huiusmodi quicunque, continue non celebrantes, tociens in denario, fabrice ecclesie † applicando, puniantur, quociens a misse celebracione absque causa racionabili cessauerunt,

† f. 26ᵇ = p. 64.

[1] "Celebrent continue et successive": orders for the successive celebration of a series of Masses varying in number from five to nineteen, and dated 23rd Feb., 1348; 15th Oct., 1435; 20th Sept., 1468, and (*Missae Currentes*) 23rd Jan., 1472–3, will be found noted in *Salisbury Ceremonies*, pp. 224–228.

[2] For Salisbury Chantries, see *Ceremonies*, 342–350; *Wilts. Archæol. Mag.*, xxxvi. pp. 525, 526, 541.

[3] The morrow-mass altar was in the nave on the north side (near Walter Lord Hungerford's monument).

§ XLII. *Of the conferring of Chantries in the Church.*

To the end that Divine service be paid to the praise of God in the aforesaid Church in full numbers, We ordain that, by those to whom it appertaineth, perpetual Chantries be henceforth conferred on such persons as have no other source of sustenance, and who will personally and continuously fulfil the duty of such Chantries,[2] unless, by the free-will of those who founded them, it had been otherwise determined at their first beginning concerning such conferment.

§ XLIII. *Of the successive Celebration of Masses in the Church.*

Seeing that in consequence of the night vigils which all the Vicars of the said Church are bound to observe, before the Mass of the Blessed Virgin, they are unable, even if willing, to celebrate conveniently in the same, We ordain that other stipendiary priests, whosoever may be ministering therein at any time, shall from the Mass customarily celebrated at dawn of day[3] celebrate so continuously and successively, down to the Mass of the Blessed Virgin,[4] that they do not in the time between, when they come together to hear Divine service, leave the Cathedral Church, as hath too frequently been seen, and repair to the oratories of outer persons. Provided that, before he who is first to begin shall have finished Mass, the one who cometh after presume not to begin his Mass, according as hath been elsewhere ordained respecting these matters. But who ought to be held earlier or later in this behalf, let the President of the Chapter year by year at the beginning of October, and at other times as often as seemeth good to him, determine this. And such priests, whosoever they be, that celebrate not continuously, let them be mulcted in a penny, to be applied to the fabrick of the Church, as aften as they have failed in celebrating Mass without reasonable cause, unless for due cause the

[4] The Mass of B. V. Mary was established by Bishop R. Poore at the altar of the Ever Blessed Trinity, called the *Salve*, at the east end of the Cathedral.

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§ XLIV. *De pulsacionibus more antiquo in ecclesia faciendis.*

Quoniam ad diuina, de quibus premittitur, conveniencius prosequenda, tam Canonici quam vicarii sub certis temporibus et horis per ordinatas ab antiquo successiuas campanarum pulsaciones solebant ordinacius congregari, que cum iam aliquo tempore preterito in diuini cultus diminucione sint per quorundam necgligenciam pretermisse, Nos, nichil in hac parte circa hec nouitatis introducere, sed ad statum debitum et Dei honorem antiqua reducere, ardenti desiderio cupientes, presenti statuto inuiolabiliter obseruando, ordinamus, quod pulsaciones huiusmodi fiant deinceps vt priscis temporibus fieri consueuit, quas amodo faciendas, ut sequitur, declaramus; vt videlicet pulsaciones, que pro missa beate virginis, collacione in Quadragesima, et ignitegio, necnon et ille que primo[1] vesperis et matutinis ac hora nona quando dicitur immediate post mensam,[2] deinceps fient in ecclesia supradicta, tanto sint temporis spacio durature, quanto posset commode vnius leuce[3] fieri iter iuxta ritum patrie communiter estimande. Ceteris pulsacionibus temporibus suis prout commodius et decencius fieri poterit distinguendis, ne, ut frequenter contigit, tam de die, quam de nocte, venientes Canonici ab horis per brevissimas pulsaciones huiusmodi excludantur. Et ne, cum fortassis venerint, stent amplius sub expectacione ministrorum ociosi, minus prudenter sese adinvicem contra tuentes, vel forte pre tedio recedant, vt visum est

(Pulsatio leuce.)

[1] "primo": E.

[2] "mensam": E. (*not* "missam").

[3] "leuca," properly a league, is used sometimes as equivalent to a

aforesaid penalty be mitigated by the President of the Chapter, or at the discretion of the same be changed to some other competent punishment.

§ XLIV. *Concerning the carrying out of the Ringings anciently accustomed in the Church.*

Forasmuch as, to the more fitting performance of the Divine services of which mention hath been made, as well Canons as Vicars at certain times and hours were wont to be orderly called together by successive ringings of the bells, of old ordained, the which have now for some time past by the negligence of certain men been prætermitted, to the diminution of the Divine worship, We, no way seeking to introduce in this behalf aught of novelty respecting such matters, but rather with ardent desire to bring back ancient customs to their due condition and the furtherance of the Divine honour, do by the present statute, to be inviolably observed, ordain that such tollings take place henceforward in the way that hath been accustomed to be done in olden times. The which We declare must be performed henceforward as followeth, that is to say, the tollings which are hereafter to be performed in the Church aforesaid for the Mass of the Blessed Virgin, the "Collation" in Lent, and Curfew, those also which shall sound first for Evensong and for Mattins and None, when this last is said immediately after meat, shall last for so long a space of time as would suffice conveniently for walking a mile, to be reckoned in the common way according to the usage of England. As for the other tollings, at their own times, to be distinguished as may be most conveniently and fittingly, let it not happen, as hath frequently been seen, that Canons coming as well by day as by night be shut out from the Hours through the shortness of such tollings. Also, when perchance they have come, that they stand not a while idle in expectation of the Ministrants, looking foolishly at one another, or peradventure retire in weariness, as hath been seen on some occasions, We decree

mile, or to the length of time reasonably allowed for walking that distance.

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quandoque, statuimus et obseruari precipimus firmiter in futurum, quod tam Sacerdos, executor officij, quam eciam rectores chori, dum, ad vesperas et ad ma*tutinas, vltime pulsaciones durabunt predicte, parati in choro existant, et illis cessantibus illico incipiant, quod incumbit, nullius presencia aut excusacione ulterius expectata, nisi forte dominus . . Decanus affuerit, cui ex laudabili dicte ecclesie consuetudine super hiis nouimus deferendum. ¶ In vesperis quoque et matutinis fiant pulsaciones ultime[1] tanto estimacione communi tempore durature quo possint Canonici eciam remociores, maturo, vt decet, incessu, in ecclesia cum ceteris conuenire. ¶ Ministri quoque qui circa pulsacionem huiusmodi, vt premittitur, faciendam negligentes inuenti fuerint vel rebelles, tociens per taxandum a Capitulo stipendiorum suorum subtraccionem per Thesaurarium faciendam arceantur, quociens super hiis ex parte presidentis Capitulo ipsorum negligencia ipsi Thesaurario, vel ejus locum tenenti, fuerit intimata. ¶ Executores vero, et Rectores Chori, qui, cessantibus impedimentis legitimis, aut tempore non venerint, aut modo non inceperint antedicto, debita pro tunc careant communa ecclesie fabrice applicanda.

* f. 27 = p. 65. (Nullus expectandus nisi Decanus, si mandauerit.)

Nota decanum et nullum alium fore expectandum in horis dicendis, et non episcopum.

Nota subtractionem stipendiorum: et sic patet quod sacriste tenentur pulsare, quia recipiunt stipendium a thesaurario.

Contra vicario tarde venientes. Et eorum pena.

§ XLV. *De statu choristarum.*

Ut ab illicitis abstrahantur motibus paruuli, tam moribus quam literis dum minores fuerint informandi,[2] ordinamus, ut in domibus in clauso ad hoc constitutis similiter vivant omnes choriste, sub perpetua custodia

[1] "When the bell *till'd*, to use the Sarum phrase, to evening prayers, then he called for his habits and went to church, carrying with him, for the most part, all the company, who were obliged to go to prayers with him out of civility, if not devotion." (*Life of Seth Ward*, Bishop of Salisbury, by Walter Pope, 1697.)

[2] In *Liber Ruber*, f. 105^{b}. is a copy of a grant, of 7° Edw. II. (6th May, 1314), to Bishop Symon of Ghent, "de shopis in Fysse schameles (fish-shambles) ad sustentacionem xiiij. puerorum et vnius magistri in grammaticalibus informatoris, non obstante statuto [de manu mortua]."

and command it to be firmly observed in future, that as well the Priest, the officiant, as the Rulers of the Choir, shall be found ready in the Choir as long as, for Evensong and Mattins, the aforesaid final tollings shall last, and when these cease shall straightway begin; which shall be their duty, without waiting further for the presence or excuse of any one, unless perchance Master Dean be absent, to whom, out of the laudable custom of the said Church, we recognize that deference should be paid in such matters. At Evensong, too, and Mattins the final tollings are to sound, lasting for so long a time according to common reckoning as will enable the more distant Canon also, walking gravely, as is meet, to assemble with the residue in the Church. The ministers also who shall be found negligent or stubborn in having the bell sounded, as premised, shall be punished by a subtraction from their stipends, to be assessed by the Chapter and levied by the Treasurer, as often as their negligence in these matters shall have been intimated on behalf of the President of the Chapter to the Treasurer himself or his *locum tenens*. Moreover the Officiants and Rulers of the Choir, who, apart from lawful impediments, shall have either not come at the right time, or not begun in the afore-prescribed way, are to lose for that time the *Communa* due to them, the which shall be applied to the fabrick of the Church.

§ XLV. *Of the Condition of the Choristers.*

To the end that the children, who should be trained during their tender years as well in morals as in learning, be withdrawn from unlawful pursuits, We ordain that all the Choristers alike do live in houses in the Close appointed for this purpose, under the perpetual ward of some Canon

A Patent of 4° Edw. III., p. 1, m. 4, contains the "confirmacio donacionum, ordinacionum et statutorum pro custode puerorum, A.D. 1330." In the interval which elapsed between the first acceptance and publication of these Statutes in 1319 and their final sealing in 1324, King Edward II. licensed the Bishop (Symon of Ghent) to appropriate the Vicarage of Preshute near Marlborough, in 1321, and in the following year gave a royal charter to the 14 choristers and a master in grammar, and confirmed to them the grant of tithes in Preshute.

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De deputacione magistri chorustarum et eius amocione.

† f. 27ᵇ = p. 66.

alicuius Canonici actualiter residentis in ecclesia nostra predicta; qui quidem custos per Capitulum nostrum Sar' predictum deputandus, et quociens eidem Capitulo videbitur amovendus, coram Capitulo annuatim, infra mensem proximum post festum S. Michaelis, de omnibus receptis et expensis dictam custodiam suam tangentibus, juxta discrecionem Capituli predicti, fideliter computabit, pueris ipsis alendis de bonis communibus, vna cum prius deputatis ad hoc redditibus, donec aliunde fuerit † eis provisum, vnde absque onere ecclesie valeant sustentari, qui, ecclesie ministeriis et liberalibus tantummodo studiis intenti, de nullius quamcunque modico pro sua mora obsequio sese aliqualiter intromittant.

[¹ On the Boy-Bishop, see *Ceremonies*, pp. 52, 54, 58*n*., 259.]

Electus autem puer chorista in Episcopum modo solito puerili,[1] officium in ecclesia prout fieri consueuit licenter exequatur, Conuiuium aliquod de cetero vel visitacionem exterius seu interius nullatenus faciendo, sed in domo communi cum sociis conversetur, nisi eum ut choristam ad domum canonici, causa solatii, ad mensam contigerit euocari, ecclesiam et scolas cum ceteris choristis statim post festum Innocencium frequentando. ¶ Et quia in processione quam ad altare S. Trinitatis faciunt annuatim[2] pueri supradicti, per concurrentium pressuras et alias dissoluciones multiplices nonnulla dampna personis et ecclesie grauia intelleximus priscis temporibus prouenisse, ex parte Dei omnipotentis, et sub pena maioris excommunicationis, quam contrauenientes vt pote libertates dicte ecclesie nostre infringentes, et illius pacem et quietem temerarie perturbantes, declaramus incurrere ipso facto, inhibemus ne quis pueros illos in prefata processione, vel alias in suo ministerio, premat vel impediat quoquomodo, quominus pacifice valeant facere

[2] Procession to the altar of the Holy Trinity (in *Salve*, a chapel of the B.V. Mary). See *Brev. Sar.* (1882), col. ccxxx. foll.; *Salisbury Processions* (1901), p. 52.

[3] As Bishop Seth Ward points out, such provision was made about three years later.

[4] At a later date (about 27th Dec., 1448) a servant of a Canon was killed by the Bishop's Vicar, and the Boys were forbidden to carry staves in future, or Vicars to sing with *introductione alicuius cantus irrisorii, vel ulutatorii, vel laicalis.* At Bayeux also (*Ordinar.*, p. 427, etc.) there

actually resident in our aforesaid Church. The which Warden, who is to be deputed by our Chapter of Salisbury aforesaid, and removed whenever it shall seem good to the same Chapter, shall yearly before the Chapter, within the month next after the feast of St. Michael, give faithful accompt, according to the discretion of the aforesaid Chapter, of all receipts and expenses which respect his Wardenship; the boys themselves being supported from the common goods, together with the rents formerly assigned to this purpose, until provision shall have been made for them from some other source,[3] from which those can be sustained, without burden to the Church, who, seeing that they give themselves to the ministries of the Church and to liberal studies only, do not concern themselves, to the taking up of their time, with attendance, however slight, on any one.

Moreover, the Chorister-boy elected to be Bishop, in the accustomed childish manner, is to execute freely his office in the Church, as hath been accustomed to be done, not making hereafter any feasting or visitation, without or within; but let him associate with his fellows in the common house, except it chance for him to be invited, as a Chorister, to a Canon's house, for a treat, to his table; and he shall frequent the Church and Schools with the other Choristers immediately after the feast of Childermas. And forasmuch as in the procession made by the aforesaid boys to the altar of the Holy Trinity We have learned that, through the thronging of the concourse and manifold other kinds of unruliness, certain grave injuries[4] have in former times resulted to persons and to the Church, We, in behalf of God Almighty, and under pain of the greater excommunication (which we declare to be *ipso facto* incurred by opposers, as infringing the liberties of our said Church and rashly perturbing the peace and quietness thereof), do forbid any one to press upon or in any way impede those boys in the aforesaid procession, or otherwise in their ministry, whereby they may be hindered from peacefully doing and

was a *Sollempnitas Baculi* at Christmas-tide, and some of the profane carols of the "Feast of the Ass" allude to it.

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et exequi quod illis imminet faciendum; sed qui eidem processioni deuocionis causa voluerint interesse, ita modo maturo se habeant et honeste, sicut et in aliis processionibus dicte ecclesie se habent, qui ad Dei honorem frequentant quandoque ecclesiam supradictam.

Ordinamus insuper de consensu presidentis et Capituli, ac eciam Mg'ri Bonifacii tunc precentoris Sar',[1] ex abundanti requisito consensu primitus in loci Capitulo pariter et optento, vt choriste quicunque deinceps admittendi * per dictum precentorem, vel, eo absente, eiusdem loci succentorem, in Capitulo coram Decano vel eius locum tenente, ac canonicis presentibus ad hoc vocatis, et non alibi, de cetero admittantur; et in admissione huiusmodi pueri de diocesi nostra oriundi, dum tamen ydonei repperiantur, ceteris preferantur; nisi forsitan exteri, bonis moribus concurrentibus, precellant in magna valde excellentia modulandi.

* f. 28 = p. 67.

(Choristæ per præsentandi Capitulo.)

§ XLVI. *De maledicis, adulatoribus, Istrionibus, et detractoribus respuendis.*

[On tolerating minstrels, players, etc.]

Licet robustos corpore, laborem ad quem homo nascitur subire contempnentes, et in delicato ocio sibi victum querere sub inepta leticia seculi eligentes, qui *menestralli* et quandoque *ludorum homines* vulgari eloquio nuncupantur, non quia tales sunt, sed quia opus Dei nostramque naturam conspicimus in eisdem, nostris domibus refectionis gracia aliquociens toleremus;—ordinamus tamen, quod de bonis pauperum et miserabilium

[1] Boniface of Saluzzo was installed as Precentor on 28th June, 1319, having exchanged offices with his cousin, George de Saluciis, who thus became Archdeacon of Bucks, in Lincoln diocese.

[2] Bishop Seth Ward has written the following notes on the margin of MS. E., f. 27, respecting Choristers:—

"Hoc statutum editum A.D. 1319, vt in fine horum omnium statutorum habetur, et appropriatio Preshut facta A.D. 1322.

"Hæc constitutio in vsu mansit A.D. 1527; nam 26 Octob. M. Halley locum tenens decani et magister choristarum computum reddidit de denariis et reditibus ac aliis per eum receptis pertinentibus ad dictos choristas. Vt habetur in registro Mri Harward pa. 56."

"Tom. 2. pag. 25: 23 Apr. A.D. 1340, dominus Præcentor fuit ordinatus

performing what falleth to them to be done. But rather let those who will take part in the same procession for devotion's sake, carry themselves in such grave and seemly manner as, in other processions of the said Church, they do who frequent the above-said Church at any time for the honour of God.

We ordain further, with the consent of the President and Chapter, and also of Master Boniface, at the time Precentor of Salisbury, and with the full and free consent, first sought and also obtained, in the Chapter of the place, that the Choristers who hereafter are to be admitted by the said Precentor, or, in his absence, by the Succentor of the same place, shall be admitted in Chapter before the Dean, or his *locum-tenens*, and the Canons present who have been summoned for this purpose, and in no other place. And in such admission boys sprung from our diocese, so that they be found meet, shall be preferred to others; unless perchance strangers, being also of good character, show much greater excellence in music.[2]

§ XLVI. *Of the rejecting of Slanderers, Flatterers, Buffoons and Back-biters.*

Albeit sturdy fellows, despising to undergo the toil to which man is born, and choosing to look for a living in ease and laziness amid the foolish pleasure of the world—the which are called in the vulgar speech *minstrels*[3] and sometimes *players*—are ofttimes (not because they are such, but because we see in them God's work and our nature) allowed by us to be in our houses and given refreshment; none the less We do ordain, that out of the goods of the poor and of miserable persons, which have been

ad custodiendum clavem pecuniæ choristarum; et illi commissa custodia eorundem, non ut præcentori, sed tanquam uni simplici canonico, ad hoc per eos electo. Vide iniunctionem 25 Eliz. Reginæ de choristis alendis postquam per ætatem eorum vox mutatatur."

[3] In 1402, the Commons in Parliament, when in full war with the Welsh, denounced the *minstrels* of that race, as "westours and rimers, minstrels and vagabonds . . . who by their divinations, lies and exhortations are partly the cause of the insurrection and rebellion now in Wales." J. J. Jusserand, *Wayfaring Life*, p. 207, ed. 1891.

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[They are not to have gratuities from the alms-fund.]

personarum, que dispensacioni clericorum non absque reddendis inde racionibus sunt commissa, per Canonicos ecclesie nostre pecunia aliqua seu res que in pecuniam possit conuerti, ne (quod absit) fautores ocij et aliorum viciorum que secuntur ex eo existere taliter comprobentur, nullatenus conferatur, cum justius agat qui illis denegat quam qui taliter petita facit petentibus elargiri; nec ad fabulas quas referunt, et que in detraccionibus, turpiloquio et scurrilitate consistunt, vllus voluntarium prebeat auditum, nec ad eas audiendas aures habeat prurientes, sed per obaudicionem ab huiusmodi relatibus, quin pocius latratibus, in quantum fieri poterit excludantur, cum nemo libenter inuito referat auditori. ¶ Qui tamen a discurrentibus panificis receperit panes, diuersis nominibus † designatos, quos quidem eorum edentibus hiis diebus porrigunt importune, poterit, vt expedire viderit, satisfacere pro eisdem, dummodo masculini sexus duntaxat existant, et, mulieribus in toto exclusis, a detractacionibus, scurrilitate, et turpiloquio sese abstineant memoratis. Nec debet de huiusmodi personarum, que infames sunt, laude, immo verius fraude, seu obloquio, aut alias vane laudis preconio, ecclesiasticus vir curare; cum nichil eo miserius sit prelato qui luporum laudibus gloriatur.

† f. 28b = p. 68.

(16th July, 1319. See p. 136, above.)

§ XLVII. [*Statutorum epilogus.*]

(26th Oct. 1319.)

(*Apocal.* i. 8, etc.; *Brev. Sar.*, I. dcccIxviii; II. 236.)

Nunc autem superest, vt ea que in superbenedicto Nomine illius qui est Alpha et · O · , principium videlicet atque finis, bono sunt dilectorum nobis presidentis et Capituli nostri supradicti interuenientibus auxilio, consilio, et consensu principio inchoata, fine si possumus meliori cum adiutorio altissimi concludamus. ¶ Scimus namque, scimus, experiencia, optima rerum magistra,[1] alias informati, quod premissa quantumcunque salubriter

(Cf. p. 158, marg.)

[1] Cf. p. 152, margin.

committed to the stewardship of the clergy, with duty to render accompt of the same, no money or anything that can be turned into money be given away by the Canons of our Church, lest (which God forbid) the upholders of sloth and of all the vices which follow therefrom be countenanced in that way of living; seeing that he acts more justly who denies them, than he who procures that the things asked for in this way be lavished on the askers. And let not any lend a willing ear to the tales which they relate, and which are made up of back-biting, evil-speaking and scurrility, nor have itching ears to hear them; but let ears be firmly shut to such tellings, or rather yelpings: for none will take pleasure in telling his tales to an unwilling hearer. Any one, however, who takes bread, which is called by various names,[2] at the hands of travelling bakers, and which nowadays they persistently offer to consumers, can make compensation for the same as he sees to be fitting, provided that they are of the male sex only, and that they abstain from detractions, vulgar abuse, and filthy talking as aforesaid, women being excluded altogether. And a churchman ought not to care for approbation or (to call it by its true name) cajolery or for abuse coming from such disreputable persons as these nor yet the public utterance of their empty praise, seeing that there is nothing in the world more despicable than a prelate who glories in the approval of the wolves.

§ XLVII. *Epilogue of the Statutes.*

It remaineth now that those things which were begun at the first in the most blest Name of Him who is Alpha and Omega, the Beginning, namely, and the End, with the assistance of the good aid counsel and consent of our beloved the President and our Chapter, We conclude with a still better end, if possible, by the assistance of the Highest. For we know, yea we know, being otherwise taught by experience, the best instructress of things, that the premisses, however healthfully ordained,

[2] *E.g.* chet, manchet, grigger-cake, lease-cake, cross-bun, penny-white, penny-wheaten, shittle, spice-bread, short-cake, twinge, twining, wafer, etc.

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ordinata, nisi execucione debita et moribus vtencium approbentur, non sine dampno ecclesie grauiori, derisioni, scandalo, et obprobio illorum qui interposuerunt amplius partes suas, tempore suo perpetuo duraturis, sicut priscis temporibus in similibus dinoscitur contigisse, in toto eorum effectu quantocius euanescent et sic labor noster, vt predictum est, communis circa hec impensus, licet grauis extiterit, vertetur (quod absit) in nichilum, sicut et quorundum predecessorum nostrorum in similibus fuerat ante nichil. ¶ Quapropter hec meditacione assidua reuoluentes, et super hiis deliberacione habita diligenti, cum presidente et Capitulo supradictis conferentes, et auditis eorum opinionibus, racionibus, et aliis que voluerunt dicere ac proponere in hac parte, tandem omnibus et singulis vt premittitur congregatis in vnam nobiscum, tam nomine suo, quam eorum eciam quorum fuerant procuratores vt prescribitur * constituti, con venientibus, sententiam ;—Ordinamus quod statuta prescripta, per que innouantur antiqua, deciduntur ambigua, soluuntur dubia, declarantur obscura, et nonnulla prout condicio personarum, qualitas negociorum, varietas temporum, et cause diverse et earum circumstancie requirebant, statuuntur salubria futuris et perpetuis temporibus, inuiolabiliter obseruentur; ¶ Contradictoribus et rebellibus tociens per . . Decanum seu eius locumtenentem et Capitulum censura qua conuenit compescendis, quociens contradiccio vel rebellio cuiusuis persone in premissis (quod absit) apparuerit, seu aliquo premissorum. ¶ Incurrentes vero excommunicacionis sentenciam in casu aliquo premissorum per . . Decanum vel eius locum tenentem in ecclesia nostra predicta canonice absolvantur. ¶ In quorum omnium testimonium atque fidem supradicta ordinaciones et statuta, futuris et perpetuis temporibus plenius obseruanda, que in hoc quaterno[1] per laqueos sericos simul colligato

* f. 29 = p. 69. (De statutis obseruandis.)

(Nota de Inuiolabili obseruacione statutorum, et de pena non obseruancium.)

(Decanus uel eius locum tenens potest absoluere ab excommunicatione.)

[1] *Quaternus*, *quaternum*, means a stitched book, originally of *four* leaves, O.F. *cayer*, M.F. *cahier*, whence our "quire." In this passage it denotes a number of sheets of paper tied or strung together, although

except they be approved by due carrying into effect and the character of such as act upon them, will very speedily be brought to nought in all their results, not without serious harm, derision and scandal to the Church and the shame of those who have interfered fastiously—evils which shall endure for all time—as is known to have happened of old in like case. And so our common toil bestowed hereon, as already rehearsed, heavy though it hath been, shall turn (which God forbid) to nought, even as of old the labour of certain of our predecessors also aforetime in like matters came to nothing. Wherefore, revolving these things carefully in thought, and applying diligent deliberation to them; after conferring with the President and Chapter aforesaid, and hearing their opinions, reasons, and whatever else it was their pleasure to say and propose in this behalf; finally, by the unanimous sentence of all and singular when assembled, as premised, as well in their own name as in that of those whose lawfully appointed proctors they were: We do ordain that the afore-written statutes—by which old things are made new, disputable things are decided, doubts are solved, dark things are made clear, and some things (according as the condition of persons, the quality of business, the variety of times, and diverse causes and their circumstances required) are wholesomely ordained for all coming time—be inviolably observed. And gainsayers and revolters shall be suppressed by the Dean or his *locum tenens* and the Chapter, with whatever sentence is fitting, whenever the gainsaying or rebelliousness of any person in the premisses or in any of them shall (which God forbid) have become apparent; save that such as incur sentence of excommunication in some or other case of the premisses may be canonically absolved by the Dean or his *locum tenens* in our aforesaid Church. For testimony and assurance of all which matters, the above-said ordinances and statutes, to be fully observed for all time to come (the which are fully enrolled in this quire of writing, bound together by silken loops) have been with

the number of leaves comprised in the gathering is not necessarily limited to four.

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plenius conscribuntur, tam sigilli nostri pontificalis, quam eciam dicti Capituli, impressionibus consensu vnanimi sunt munita; ¶Statutis et ordinacionibus predecessorum nostrorum Episcoporum Sar', necnon Decanorum et Capituli eiusdem, omnibus et singulis, quatenus statutis nostris supradictis non obuiant, in suo robore nichilominus duraturis.

(Sealed by the Bishop, and by the Chapter, 26 Oct. 1319.)

Acta sunt hec, lecta et recitata, vocatis vocandis, vt predicitur, maiorique parte vicariorum dicte ecclesie presentibus, et per Nos de consensu vnanimi supradicto publicata, in Capitulo nostro Sar' die Veneris proxima ante festum apostolorum Symonis et Iude, septimo videlicet kalend' Nouembr' Aō Dnī millesimo Trecentesimo decimo nono, et Consecracionis nostre Anno quinto.

(Published in Chapter the same day, October 26th, A.D. 1319.)

§ XLVIII. [*Statutorum per Capitulum recepcio.*]

† f. 29ᵇ = p. 70. July 1st, A.D. 1324.

† In Nomine Domini,—Anno eiusdem millesimo trecentesimo vicesimo quarto, in kalendis Iulii, tenens locum d*omi*ni Decani Sar', et eiusdem Sar' Ecclesie Capitulum, recepit literas venerabilis patris d*omi*ni R[ogeri], Sar' episcopi, tenorem infrascriptum continentes:—

(The Bishop's Letter received.)

"Rogerus, permissione divina Sar' Episcopus, Dilectis filiis, tenenti locum Decani et Capitulo ecclesie nostre Sar', salutem, graciam, et benediccionem. ¶Postquam presidere nostre Sar' ecclesie altissimus nos permisit, super ipsius regimine pre ceteris nostra in tantum spiritus ferebatur, vt antiqua ipsius faceremus obseruare statuta, et noua prout negocia requirebant simul et tempora ex nostra solicitudine apponi remedia oportuna, sane non absque grauibus laboribus pariter et expensis, Capitulo nostro solempniter congregato, statuta et consuetudines dicte ecclesie quorum quedam quia in

unanimous consent made sure by the impressions of our pontifical seal, and that also of the said Chapter. But the statutes and ordinances of our predecessors, Bishops of Salisbury, and of the Deans and Chapter of the same, all and singular, so far as they do not repugn our statutes aforesaid, shall none the less continue in their former strength.

These things have been done, read and recited, after the summoning of those who had the right to be summoned, as afore rehearsed, and in the presence of the more part of the Vicars of the said Church, and by Us, with the unanimous consent aforesaid, published in our Chapter of Salisbury, on the Friday next before the feast of the Apostles Simon and Jude, that is to say, on the seventh day before the Kalends of November, in the year of our Lord one thousand three hundred and nineteen, and of our consecration the fifth. [26th Oct. 1319.]

§ XLVIII. *Reception of the Statutes by the Chapter.*

In the Name of the Lord. In the year of the same one thousand three hundred twenty and four, on the Kalends of July, the *locum tenens* of Master Dean of Salisbury and the Chapter of the same Church of Salisbury, received letters of the venerable Father the Lord Roger, Bishop of Salisbury, after the tenour below-written :—

"Roger, by Divine permission Bishop of Salisbury, to his beloved sons the Dean's *locum tenens* and the Chapter of our Church of Sarum, health, grace and benediction. From the day when the Highest granted us to preside over our Church of Salisbury, our spirit hath been impelled thus far on an endeavour for the governance of the same, above all other objects, that we might cause the ancient statutes thereof to be observed, and that by our care new and timely remedies should be applied, according as the business, yea and the times, required ; assuredly not without incurring heavy labours and also expenses. Wherefore, our Chapter being solemnly assembled, the statutes and customs of the said Church (some of which, seeing that

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desuetudinem obierunt multis fecimus vicibus in medio recitari, et illa tandem in luculentam consonanciam erigentes, ea de ipsius Capituli consensu vna cum nostris adicere curauimus eisdem, prout communi iudicio tempora requirebant, decreuimus ex tunc firmiter obseruanda, prout hec omnia sub nostro simul et dicti Capituli sigill' in dicta ecclesia iam remanent consignata. Et licet premissa presentibus illis qui interesse volebant per nos fecerimus solempniter publicari, vos tamen et illi ad quos pertinent in obseruacione eorum hijs diebus nimis desides dicimini et remissi, de quo non modicum admiramur; presertim cum nichil factum fuerit in premissis nisi quod de communi omnium processit proculdubio uoluntate. ¶ Quocirca deuocionem vestram tenore presentium excitamus vobis firmiter iniungendo, quatenus quicquid sibi in hac parte ignauia dicitur ven*dicasse, ita solerti studio studeatis de cetero adimplere, vt vestram (quod absit) necgligenciam nostro supplere ministerio minime compellamur; quod, licet faceremus inuiti, pretermittere non intendimus, si hoc vestra exigat necgligentia omissio vel contemptus. ¶ Et quod in premissis duxeritis faciendum, nobis oportunis loco et tempore cum tenore presencium plene et fideliter rescribatis, tenorem et seriem rescripti huiusmodi in fine statutorum illorum inseri facientes; ne (quod absit) hec in obliuionem veniant posteris in futurum.

(Restitutio Statutorum.)

(Nihil statuendum, nisi de communi consensu.)

* f. 30 = p. 71.

(Sunning, June 21st, A.D. 1324.)

In Christo Jhesu feliciter valeant, cari nostri. ¶ Dat. apud Sunnygg' xi° kalend. Julij, Aō Dnī Mccccxxiiii° Et consecracionis nostre nono.

(Salisbury, 1st July, 1324.)

QUAS QUIDEM LITERAS presentibus statutis inseri facientes, iuxta mandatum dicti Dñi Episcopi nobis factum, fecimus.

they had fallen into disuse, we have many times caused to be openly recited, and now at length quicken to transparent agreement with the rest),—these, I say, with the consent of the same Chapter, We have been forward to include together with our own, according as in the common judgement the times required, and have decreed to be thereafter straitly observed, according as all these things now remain sealed in the same Church under the seals of Us and of the said Chapter. And, notwithstanding we have by ourselves caused the premisses to be solemnly published, in the presence of those who chose to be present, nevertheless ye and those whom it concerneth are reported in these days to be too slothful and remiss in their observance, concerning which We marvel not a little, especially since nothing had been done in the premisses except what undoubtedly proceeded from the common pleasure of all. Wherefore by the tenour of these presents We would stir up your devotion, straitly enjoining you that, whatever slothfulness is said to have claimed in this behalf, ye do study so diligently henceforth to perform that We be not (which God forbid) compelled to supply your negligence by our own ministry. Which (though We should do it unwillingly), We intend not to pretermit, if it be demanded by your neglect, omission, or contempt. And what ye shall deem ought to be done in the premisses, ye are to write to Us fully and faithfully, at place and time fitting the tenour of these presents, causing the tenour and due order of such report to be inserted at the end of those statutes, lest (which God forbid) these things be forgotten by the generations to come.

"Health and happiness in Christ Jesus to our beloved. Given at Sunning, the eleventh before the Kalends of July, in the year of our Lord 1324, and of our consecration the ninth."

In causing the which letters to be inserted in the present statutes, we have done according to the commandment laid on us of the said Lord Bishop.

† f. 55b = p. 122.

†ORDINATIO FACTA SUPER GUBERNACIONE FABRICE ECCLESIE SAR'.

[Old Statute Book, E. *fol.* 55b.]

4th March, A.D. 1334–5.

QUARTO die mensis martii, Aō Dnī 1334, capitulariter ordinatum fuit, quod duo canonici prebendati et residentes amodo sint magistri fabrice, sive operis, dicte ecclesie; et quod habeant inter se duas claves omnium scriniorum in quibus conservantur omnes oblationes dicte fabrice, et quod sint coniunctim de onere dicte fabrice onerati. Et insuper tunc fuerat ordinatum quod "*Clericus Fabrice*," qui pro tempore fuerit, in quolibet quarterio anni, de receptis et expensis quibuscunque reddat compotum coram certis canonicis ad hoc per capitulum deputatis; et canonici sic ad hoc per capitulum deputati vocentur "*Magistri Fabrice*," qui habeant unam cistam in thesauraria eiusdem ecclesie in qua reponant pecunias dicte fabrice, cuius vterque habeat vnam clavem per se, sic quod unus sine altero dictam cistam aperire non valeat, nec de dicta pecunia aliquid disponere, sine consensu mutuo eorumdem. (In Registro Hemyngby, fo. xliij°.)

9th Dec. A.D. 1335.

Ordinatio Capituli de expensis fiendis in visitatione firmarum.

Nono die mensis Decembris, Aō Dnī 1335, in domo capitulari Sar', per capitulum, super expensis per visitatores firmarum in posterum faciendis, fuit concorditer ordinatum; "Quod Quotiens firmarum visitatores mittendi sint per capitulum ad visitandum firmas juxta statuta ecclesie de triennio in triennium totiens,

ORDINANCE CONCERNING THE GOVERNANCE OF THE FABRICK OF THE CHURCH OF SALISBURY.

ON the fourth day of March, Anno Domini 1334, it was ordained in Chapter that two Canons, holding prebends and resident, be hereafter Masters of the Fabrick, or Works, of the said Church; and that they have between them two keys to all the boxes in which are kept all the offerings for the said fabrick, and be conjointly charged with the burden of the said fabrick. And it was further then ordained that the Clerk of the Fabrick for the time being, at each quarter of the year, do render accompt for all receipts and expenses whatsoever before certain Canons thereto deputed by the Chapter. Also that the Canons thus deputed thereto by the Chapter be called Masters of the Fabrick, having a chest in the Treasury of the same Church wherein to put the moneys of the said fabrick; of which chest either is to have a key by himself, so that one cannot open the said chest without the other, nor dispose of any part of the said money without the mutual consent of the same. 4th March, 1334-5.

Ordinance touching the Expenses incurred in the Visitation of Farms.

On the ninth day of December, Anno Domini 1335, in the Chapter House of Salisbury, it was thus ordained by common agreement of the Chapter, respecting the expenses to be incurred hereafter by the visitors of farms. Whenever the visitors of farms are to be sent by the Chapter to visit the farms according to the statutes of the Church, from one three years to another, they shall be sent at

A.D. 1335. mittentur expensis Capituli. Et fuit ulterius ordinatum quod visitatores firmarum, vacantium per mortem, vel per dimissionem canonicorum specialiter, a partibus seu ab una parte ad supervidendum defectus firmarum rogati, mittantur communibus expensis, tam novi firmarii quam defuncti, seu dimittentis firmam seu firmas sic obtentas. (*Pro solucione pensionum firmarum et earundem condicionibus, vide in* Registro Corf, folio lvij°.)

A.D. 1374. *Ordinatio super incertis proventibus distribuendis.*

* f. 56 = p. 123. *Quarto die mensis Octobris Aō Dnī, 1374. In domo capitulari ecclesie cathedralis Sar', canonicis residenciarijs tunc capitulariter congregatis, recitatum fuerat et expositum qualiter occasione distribucionum de obuencionibus et prouentibus incertis, necnon assignacionum firmarum et domorum canonicalium dicte ecclesie priscis temporibus factarum, obloquia, tumultus, murmura, et contenciones varie acciderunt; ¶Vnde, pro reformacione premissorum ac pace et tranquillitate in ipsa ecclesia, annuente Deo, inposterum componendis, habito tractatu diligenti, equitate vndique pensata, concordatum fuit et finaliter diffinitum, vt sequitur, futuris temporibus perpetuis duraturum,—Videlicet, quod prouentus et obuenciones quicunque incerti reseruentur vsque in finem quarterij,[1] de quibus fiat per communarium vnus compotus separatus, Et tunc percipiet de eisdem quilibet residens in illo quarterio iuxta residenciam suam inibi

(1.)

[1] *Quarterij.* The quarter days at Salisbury, *cir.* 1300, were the 1st day of the months of October, January, April, and July, on which at that time a fresh course of Canons, holding Priest, Deacon, or Subdeacon prebends respectively, entered on their duty; 13 Canons (on an *average*) for each quarter, some being selected from the Dean's side (*ex parte Decani*), and others from "the Chanter's side," as Herrick calls it. The proportions Decani *v.* Cantoris, and those likewise of the three orders (Subdeacons, etc.), varied somewhat from quarter to quarter.

the charges of the Chapter. And it was further ordained that the visitors of farms vacant by death or specially by being let by the Canons, shall, when desired by the parties, or by one party, to view the deficiencies of farms, be sent at the common charges, whether of the new farmer or of the deceased, or of him who gives the lease of the farm, or farms, in this way.

Ordinance touching the Distribution of Uncertain Profits.

On the fourth day of October, Anno Domini 1374, in the Chapter House of the Cathedral Church of Salisbury, the Canons Residentiary being at that time assembled in Chapter, it was recited and set forth how that on the occasion of the distributions of uncertain profits and rents, and also of the assigning of the farms and canonical houses of the said Church of old time effected, insults, tumults, murmurings and various contentions had arisen; whence, for the reformation of the premisses and the composing, with God's favour, of peace and tranquillity for the future in that Church, after diligent deliberation and the weighing of the claims of justice on every side, it was agreed and finally laid down as followeth, for all time to come: namely, that uncertain profits and casual receipts, of whatever kind, be reserved to the end of the quarter; whereof a separate reckoning shall be made by the Communar; after which every one resident in that quarter shall receive of the same incomings according to his residence

It does not appear that in 1300 the four quarters of the year were assigned to each of the four *Personæ* at Salisbury or to the stalls in their immediate neighbourhood (although the terms, "ex quarterio Decani," "ex quarterio Thesaurarii," etc., in an ordinance of 1442, cited in *Fasti Sar.*, p. 272—and their *Taxatio* in the case of Wells also (H. E. Reynolds, *Wells*, pp. 97-99)—might suggest it). Later, however, viz. in 1672, we find the Dean's residence declared to begin in July, and the three months of the Precentor, Chancellor and Treasurer in October, April and January, respectively. When in residence the Dean was required to reside for eight months in the year, his three months' proportion of special residence was assigned to a fourth "Residentiary," by a modern statute (1851).

A.D. 1374. factam, ita quod non plus de hijs percipiat Persona aliqua in dicta ecclesia quam canonicus vnus simplex.

Et sub nomine incertorum proventuum et obuencionum comprehendentur omnes fines pro introitubus canonicorum admittendorum ad residenciam: ¶ Item escaete prouenientes infra libertates et franchesias ad Capitulum pertinentes, ¶ Item fines et releuia, herietta de terris, siue tenementis, siue domibus, ad capitulum pertinentibus qualitercunque seu spectantibus, ¶ Omnia super emolumenta racione cartarum seu litterarum communi sigillo sigillandarum, necnon omnia alia emolumenta et singula obueniencia in magno rotulo communarij non specificata.

De pecunia tamen proueniente pro stallis Vicariorum in choro vacantibus concordatum est, Quod totum quod supererit post satisfactionem Vicarijs factam hujusmodi stallis vacuis deseruientibus, distribuatur, modo predicto, in fine anni et non ante, iuxta residenciam canonicorum in illo anno factam; sicut de oblacionibus pentecostalibus est fieri consuetum.

† f. 56b = p. 124. Pecunia † vero proueniens occasione literarum abbatibus et abbatissis concedendarum in diocesi Sar', vt benedici valeant extra ecclesiam Sar', in vsus ordinatos in statutis ecclesie de cetero conuertatur.

Cum autem firmam aliquam dicte ecclesie, aut domos aliquas canonicales, per resignacionem vel per mortem aut dimissionem alicuius, seu alias, canonice vacare contigerit, nulla fiat imposterum assignacio de eisdem, nisi post lapsum octo dierum a tempore note vacationis firme seu domorum huiusmodi in ecclesia supradicta. ¶ Qua assignacione taliter facta firme alie vel domus que occasione acceptationis et assignationis huiusmodi vacare contigerit in continenti acceptentur et assignentur iuxta morem et consuetudines ecclesie hactenus[1] usitatas. ¶ Et si aliqua assignacio aliter quam vt predicitur facta fuerit, vacua sit et irrita assignacio ipsa penitus et inanis.[2]

[1] "actinꝰ": MS. E.

[2] In the *Miscell. Decani* [*Misc. et Stat., quoad Sarum*, in the Cathedral Library] MS., f. 26, there is this foot-note added to this section:—

"Mem: Quod in magno Rotulo communarii facto in quarterio tertio et in anno Domini 1314 in fine ejusdem sic continetur;—'Quod ex nunc incerti proventus et onera cum acciderint dividantur per quatuor partes anni, ita quod quælibet pars habeat suum onus et emolumentum,

there made, yet so that no "Persona" in the said Church shall receive more from these sources than a simple Canon.

Also, under the head of uncertain profits and casual receipts, shall be comprised all fines for the entrances of Canons to be admitted to residence; also escheats accruing within the liberties and franchises pertaining to the Chapter; also fines and reliefs, heriots of lands or tenements or houses belonging or pertaining to the Chapter in any way whatsoever; also all emoluments in respect of charters or letters requiring to be sealed with the common seal, as well as all other emoluments and every profit not specified in the Communar's Great Roll.

Howbeit, concerning the money coming in for the Vicars' stalls vacant in Choir, it was thus agreed: that of everything left over after satisfying the Vicars who serve stalls thus vacant, a distribution be made, in the aforesaid manner, at the end of the year and not before, according to the residence of the Canons made in that year, as hath been accustomed to be done with the Pentecostal offerings.

Moreover, the money coming in by occasion of letters to be granted to abbats and abbesses in the diocese of Salisbury, to enable them to receive their benediction outside the Churches of Salisbury, shall be converted henceforward to the uses ordained in the statutes of the Church.

When, however, it hath chanced for any farm of the said Church, or any canonical houses, to be canonically vacant by resignation or death or lease given by some person, or otherwise, there shall in future be no assignment concerning the same except after the lapse of eight days from the time of the notice of the vacating of the farm or of such houses in the above-said Church. Which assignment having been in this manner made, other farms or houses which may fortune to be vacant by occasion of such acceptance and assignment shall forthwith be accepted and assigned according to the manner and usage of the Church hitherto accustomed. And if any assignment have been made otherwise than as it is afore prescribed, such assignment shall be void and utterly worthless and of none effect.

petantur allocationes cum petendæ fuerint eisdem terminis super compotum, et non post, sub pœnâ defalcationis.'" (*J.*)

A.D. 1374.

Item concorditer ordinatum est, quod nullus impetrabit aut procurabit literas regias, principum aut dominorum, seu aliorum magnatum, pro firmis seu domibus huiusmodi obtinendis ad excludendum alios qui ius[1] ad eas poterint seu poterit obtinere; et si contra factum fuerit, sic impetrans firma careat aut domo, illa vice.

Omnia autem et singula premissa imperpetuum fideliter se obseruaturos, et contra illa nullo modo venturos seu facturos, arte vel ingenio, promiserunt bona fide omnes et singuli domini canonici supradicti;

Die autem xviij°. mensis Junij Aō Dnī 1375.to Reuerendus pater et dominus Robertus, Die gracia Sarum Episcopus, et alij canonici de capitulo in domo capitulari capitulariter congregati, perlecta dicta ordinacione, idem dominus episcopus reputavit eam iustam et equitati consonam, eandemque ordinacionem auctoritate sua ordinaria confirmauit, ratificauit, et approbauit, eamque decreuit fore imperpetuum observandam.

[Ratification: 18 Jul. 1375.]

Ista ordinacio scribitur in Re[gistro] Stalington,[2] fo. cv^to. et vj^b.

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* f. 57 = p. 125. § "papam" *erased;* "Bonifacium" *written above it.*

**Compositio*[3] *inter Episcopum et Capitulum Sarum confirmata per* [*Bonifacium IX.*, P.P.].§

[LIB. EVID. B. *fol.* cccxxxvi. OLD STATUTE BOOK (E.), *fol.* lvii.]

A.D. 1392. 30th Aug. (Boniface IX.)

Bonifacius, Episcopus, servus servorum Dei, ad perpetuam rei memoriam, hiis que statu pacifico et tranquillo

[1] "ius": E.

[2] *Stallington's* Register. In the series of Chapter Act Books now extant at Salisbury, there is a gap between *Corff's* (1348–58) and *Coman's* A.D. 1385.

[3] This "composition" was entered into by way of putting an end to the strife, which notwithstanding a previous renunciation of such claims by Bishop Giles de Bridport (see above, p. 96), sprang up between Bishops Wyvil and Erghum, the immediate predecessors of Bishop Waltham, and the Chapter of Sarum, respecting their respective rights

Moreover, it was by common agreement ordained, that none shall sue for, or procure, King's letters, letters of princes, or lords or other great men, for the obtaining such farms or houses, to the shutting out of others, or of any other, who can rightfully claim them; and if the contrary have been done, he who thus obtains his suit shall lose the farm or house, for that time.

And that they would for ever faithfully observe all and singular the premisses, and in no way contravene them, by art or device, all and singular the above-said Master Canons have on their honour promised.

And on the eighteenth day of June, Anno Domini 1375, the Reverend Father and Lord, Robert [Wyvil], by the grace of God Bishop of Salisbury, with other Canons of the Chapter, being assembled Chapter-wise in the Chapter House, after reading through the said ordinance, the same Lord Bishop adjudged it to be just and in accordance with equity, and by his ordinary authority he confirmed, ratified and approved the same ordinance, and decreed it to be observed for all time to come.

The Composition between the Bishop and Chapter of Salisbury, confirmed by Pope Boniface the Ninth.

We, Boniface, Bishop, servant of the servants of God, for perpetual record of the matter, do with a glad heart

Thus Bishop Erghum (to quote the Coman Register, *fol.* 72): "Petit contra capitulum, (1) oblationes ecclesiæ, (2) fructus Decanatus vacantis, (3) jus suspendendi authoritate fundatoris et interdicendi capellas canonicorum infra clausum, (4) jurisdictionem in præbendas canonicorum Sarum, (5) jus visitandi ecclesiam cathedralem et puniendi crimina et excessus canonicorum et ministrorum ecclesiæ solus et sine consilio capituli."

The Chapter, with reference to the *fourth* claim, referred to the deed of St. Osmund their founder, which commences: "Hec sunt dignitates, etc. . . . habent etiam *curiam suam*, etc." (see p. 28); and to the statute "De jurisdictione Canonicorum" (see p. 194), in refutation of it. The dispute was not settled in Bishop Erghum's time (though a complaint (*querela*) was presented against him to the Archbishop of Canterbury in 1375), as he was removed in due time to the see of Bath and Wells; but in the days of his successor the "Composition" above mentioned was arranged. (*J.*)

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personarum ecclesiasticarum proinde sunt facta, ut illibata consistant, libenter adicimus apostolici roboris firmitatem. Exhibita siquidem nobis nuper ex parte venerabilis fratris nostri Johannis[1] episcopi Saresburiensis, ac dilectorum filiorum Thome de Monte Acuto, decani et capituli ecclesie Sar', petitio continebat, quod orta dudum § inter nonnullos episcopos Sar' ex parte una, et decanos ecclesie Sar' qui fuerunt pro tempore, ac prefatum capitulum, super (1) visitatione ipsius ecclesie; (2) oblacionum ad eandem ecclesiam prouenientium perceptione; (3) in capellis infra clausum dicte ecclesie consistentium diuinorum celebratione; (4) decani pro tempore existentis jurisdictione; (5) necnon decanatus ipsius ecclesie tempore vacantis fructuum, reddituum, et proventuum perceptione,—ac nonnullis aliis articulis ex altera materia questionis[2] ex causa huiusmodi tam in palatio causarum apostolico ex commissionibus apostolicis, quam extra Romanam curiam diutius ventilata. Tandem, carissimo in Christo filio nostro Ricardo, Rege Anglie illustri, interveniente, partes predicte super premissis concordaverunt prout in instrumento publico inde confecto, Johannis episcopi et capituli predict' sigillis munito, cuius tenorem de verbo ad verbum presentibus inseri fecimus, plenius continetur. Quare pro parte Regis, Johannis episcopi, Thome decani, et capituli predictorum, nobis fuit humiliter supplicatum, ut concordie huiusmodi ac omnibus et singulis aliis in huiusmodi instrumento contentis, robur apostolice confirmacionis adicere de benignitate apostolica dignaremus. Nos igitur huiusmodi supplicationibus inclinati concordiam ac omnia et singula alia huiusmodi in dicto instrumento contenta auctoritate apostolica ex

§ [*Some phrase such as* questione, causa *or* materia controuersie, discordie ac dissencionis, *seems to be wanting in the text.*]

[1] These were John Waltham, who held the See of Sarum from 1388 to 1396, and Thomas Montacute, who was Dean from 1382 to 1404.

[2] In this *altera materia questionis* were presumably included the subjects of articles numbered (6), (7), and (8) on the succeeding page, viz. Jurisdiction of Prebendaries, and the reception of the Bishop on

add the corroboration of Apostolic strength to these things which by the peacemaking and calm disposition of the churchmen have been so done that they may stand unshaken. The petition lately exhibited to Us on the part of our venerable brother, John [Waltham], Bishop of Salisbury, and our beloved sons, Thomas de Montacute and the Dean and Chapter of Salisbury, did set forth that question hath for some time arisen between certain Bishops of Salisbury on the one part and the Deans of the Church of Salisbury, for the time being, and the aforesaid Chapter, respecting (1) the Visitation of the same Church ; (2) the receiving of the offerings which come to the same Church ; (3) the celebration of Divine service in chapels situate within the Close of the same Church ; (4) the jurisdiction of the Dean for the time being ; (5) the receiving also of the fruits, rents, and profits accruing at the time of the vacancy of the Deanery of that Church, (6) and several other articles arising out of other matter of dispute connected with such suit, which hath been long time sifted as well in the Apostolic palace of causes by the Apostolic commissions as outside the Roman Court. Finally, at the intervention of our beloved Son in Christ, Richard, the illustrious King of England, the parties aforesaid have agreed touching the premisses, as it is stated in the publick instrument thereupon drawn up, made sure by the seals of John, Bishop of Salisbury, and the Chapter thereof (the tenour of which We have caused to be inserted, word for word, in these presents) is fully contained. Wherefore on behalf of the King, John the Bishop, Thomas the Dean, and the Chapter, all aforesaid, We were humbly prayed that we would vouchsafe of our Apostolic goodness to add to such agreements, and to all and singular the other things contained in such instrument, the strength of Apostolic confirmation. We therefore, being swayed by such prayers, do by Apostolic authority, of our certain knowledge, confirm the agreement and all and singular such other things contained in the said instrument, and We confirm it by the authority of the

his visits to his Church, with bells pealing and with a procession of honour.

A.D. 1392. certa sciencia confirmamus, et presentis scripti patrocinio communimus, salva tamen prerogativa sancte Romane ecclesie cardinalium, pro tempore existentium, et in prefata ecclesia canonicatus et prebendas aut dignitates, personatus vel officia, seu alia beneficia ecclesiastica, obtinentium et obtent[ur]orum, ac sine preiudicio eorundem.

† f. 57b = p. 126. Tenor † vero dicti instrumenti talis est;—JOHANNES, permissione divina Sar' Episcopus, cunctis Christi fidelibus has literas inspecturis salutem et perpetuam memoriam rei geste. Plena periculis exosa discordia multotiens excandescere facit patrem in filium et filium in patrem, ac exsurgere servum in dominum et subditum in maiorem, ¶hinc rerum provenit consumptio, importabiles presiliunt labores, ire et odia suscitantur, que omnia in pacis tranquillitate exulant, ac, sub providi regis moderamine, penitus excluduntur. ¶Quamobrem inter Nos ex parte una, et confratres nostros Decanum ac Capitulum ac Canonicos singulosque ministros ecclesie nostre cathedralis Sar', coniunctim et divisim, ex parte altera, super certis articulis infrascriptis, videlicet, (1) visitatione, (2) oblacionum perceptione, (3) in oratoriis infra mansa canonicorum, infra dicte ecclesie nostre clausum, divinorum celebracione, (4) Decani iurisdiccione, (5) Decanatus vacantis fructibus et proventibus, (6) prebendarumque et prebendariorum iurisdiccione, (7) in nostro [vel] successorum nostrorum ad ecclesiam cathedralem Sar' adventu et recessu campanarum pulsatione, (8) et processione,[1] in palatio apostolico et alibi dudum orta materia questionis, tandem interveniente serenissimo principe domino nostro Ricardo, Dei gratia Rege Anglie et Francie, qui zelo devotionis accensus, lites et discordias detestans, pacem diligenter et iustitiam amplectens,

[1] Of these matters, previously in dispute, which, as they are here stated in the text, were eight in number, *seven* will be found treated in the "Composition" of 1392 here before us in the following order:—Articles 1, 7, 8, 3, 2, 5, 6. The important article in dispute, No. 4, *De Decani iurisdiccione*, was not settled in any one single section devoted to its specific treatment.

[2] Several Cardinals who held dignities at Salisbury are named in *Lincoln Statutes*, ii. pp. cxliv., cxlv. The list might be enlarged from

present writing, saving nevertheless the prerogative of those Cardinals of the Holy Roman Church for the time being, who hold or shall hold in the aforesaid Church canonries and prebends or dignities, parsonages or offices, or other ecclesiastical benefices, and without prejudice to the same.[2]

Now the tenour of the said instrument is of this kind: John, by Divine permission Bishop of Salisbury, to all the faithful of Christ who shall peruse these letters, health and perpetual memory of this matter. Hateful discord, so full of dangers, doth oftentime enflame the father against the son and the son against the father, and maketh the servant to rise up against his master and the man of low estate against his betters. Whence cometh wasting of substance, insupportable miseries leap forth, and angers and jealousies are stirred up; all which things are banished where peace and calmness are, and under the rule of a wise King are wholly shut out. Wherefore seeing that betwixt Us, on the one part, and our brethren the Dean and Chapter and Canons and all the Ministers of our Cathedral Church of Salisbury, conjointly and singly, of the other part, there hath for some while arisen, in the Apostolic Palace and elsewhere, matter of question, as touching certain the above-written articles, that is to say, (1) Visitation, (2) the receiving of offerings, (3) the celebration of Divine service in an oratory within the Canons' manses, within the Close of our said Church, (4) the jurisdiction of the Dean, (5) the fruits and profits of the Deanery when vacant, (6) the jurisdiction of prebends and prebendaries, (7) the tolling of bells at the coming to and from the Cathedral Church of Salisbury of Us or our successors, (8) and the procession; and having regard to the intervention at last of the most gracious Prince our Lord Richard, by the grace of God of England and France King, who, fired by zeal of devotion, abhorring disputes and quarrellings, and diligently embracing peace and justice, doth endeavour and strive to cherish peace and

the *Calendars of Papal Letters*. Roger de Mortival in March, 1326–7, petitioned Pope John XXII. to moderate his Provisions, and enclosed a Schedule of names. *Mortival Reg.*, ii. 215b.

A.D. 1392. non solum in regno suo inter temporales, verum etiam in ecclesia Dei, inter viros ecclesiasticos, pacem et concordiam affectat et nititur confovere. ¶ Post tractatus autem varios de et super premissis habitos, consideratis fundationibus, ordinationibus, libertatibus, et consuetudinibus laudabilibus ac statutis dicte ecclesie, diuturnis temporibus vsitatis, ac ponderatis ponderandis, spretisque iurgiorum ambagibus, ac renunciacionibus appellacionum querelarum et litium huiusmodi in palatio apostolico et alibi, ubicunque factorum seu dependencium, ab eisdem hinc inde factis, divina inspirante gratia, pro Nobis et successoribus nostris, ac pro Decano * et Capitulo, singulisque canonicis prebendas ac dignitates personatus vel officia in eadem ecclesia obtinentibus, pro se et successoribus suis, de nostro et eorum communicato consensu et assensu unanimi, sub forma et modo infrascriptis ad honorem Dei et utilitatem ecclesie de et super premissis omnibus et singulis pax sive concordia extat, salubriter facta et pro perpetuis temporibus in forma que subsequitur et stabilita et concorditer ordinata.

* f. 58 = p. 127.

Nota capitula obseruanda in visitacione Episcopi. *Primus articulus.*

I. (i.) INPRIMIS, videlicet, quantum ad visitationem in ecclesia cathedrali Sar', - -tempus, modum, et formam, in eadem visitatione habenda, et futuris temporibus perpetuis exercenda ac observanda taliter, ut sequitur, est concordatum. (*a*) Quod Nos Johannes, Episcopus Sar' modernus, visitemus ecclesiam nostram cathedralem predictam tempore nostro quociens et quando voluerimus secundum exigentiam iuris communis, et personaliter, nisi legitime impediamur; quo casu, per commissarium dicte ecclesie nostre Canonicum unum de Residentariis admissum prius in Canonicum per capitulum et iuratum in forma admittendorum Canonicorum consueta, in visitatione procedamus. ¶ Et quo ad successores nostros inchoent omnino personaliter, et, si legitime impediantur in progressu, procedant per commissarium Canonicum prebendatum, unum de residenciariis vel non-residenciarijs, admissum prius in canonicum et iuratum in forma supradicta.

concord not only in his Realm among temporal folk, but also in the Church of God among ecclesiastical persons; after various deliberations, moreover, concerning and upon the premisses, the foundations, ordinances, liberties, and laudable customs and statutes of the said Church, long time accustomed, having been considered and weighed, wrangling disputations scorned, and renouncement made by the same parties, on the one side and on the other, of all such appeals, plaints and suits in the Apostolic Palace and elsewhere, wherever made or depending; Now, by the inspiration of Divine grace, on behalf of Us and our successors, and on behalf of the Dean and Chapter and all Canons holding prebends and dignities, parsonages or offices in the same Church, for them and their successors, with our and their joint and unanimous consent and assent, in form and manner below written, for the honour of God and good of the Church, there doth exist, of and upon the premisses all and singular, a peace or agreement, healthfully made and for all time, in the form which followeth, established, agreed and settled.

That is to say—

I. (i.) *Imprimis:* As concerning Visitation in the Cathedral Church of Salisbury, the time, manner and form to be used in holding the same Visitation, and in making and observing it, for ever, it hath been thus agreed, as followeth: (*a*) That We, John, now at this time Bishop of Salisbury, do visit our Cathedral Church aforesaid at our own time, as often as and whenever we will, according to the exigence of common law, and personally, unless we be lawfully hindered; in which case, that we proceed in our Visitation through a Commissary, one of the Canons Residentiary of our said Church, having been first admitted to be Canon by the Chapter and sworn in the accustomed form for admitting Canons. And as regardeth our successors, let them begin the proceeding entirely in person, and, if lawfully hindered, let them carry the business forward by a Commissary, to wit, a Canon holding a prebend, one of the Residentiaries or Non-residentiaries, he having first been admitted to be Canon and sworn in the above-rehearsed form.

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De incoacione facienda personaliter per episcopum, et de tempore visitacionis.

(*b*) Quantum ad tempus visitationis successorum nostrorum in ecclesia predicta, visitent de septennio in septennium dumtaxat. Et movet nos ad sic prorogandum tempus visitationis successorum nostrorum eo quod Canonici ecclesie nostre predicte capitulariter congregati considerarunt et affirmarunt, quod omni die possumus nos et Episcopus, qui pro tempore, fuerit intrare Capitulum, ut Canonicus, et si aliqua sint ibi Nobis vel Episcopo relata pro tempore corrigenda, ut Episcopus iniungere quod corrigantur, et videre corrigenda[1] fore correcta, et reformanda reformata, et in casu negligencie corrigere et reformare, ac videre et discutere titulos beneficiorum.

[1] "corrigenda": E.

† f. 58ᵇ = p. 128.

(*c*) Quantum ad prefixionem † diei visitationis contineat mandatum nostrum et successorum nostrorum spatium xl dierum adminus a tempore recepcionis mandati per Decanum vel eius locumtenentem, seu presidentem Capituli; et super liberacione eiusdem mandati stetur sufficienti probationi.

(*d*) Et quantum ad citationes canonicorum et aliorum, citatio facta in stallis effectualiter artet citandos juxta observantias et statuta dicte ecclesie hactenus usitata.

(*e*) Quantum ad introducendos in domum capitularem nobiscum tempore visitacionis huiusmodi faciende, quod habeamus libertatem introducendi quos voluerimus pro tempore nostro; ¶ et quoad successores nostros in inquisicione detegendorum habeant secum notarium proprium, et vnum clericum quem voluerint, honestos viros, non coniugatos, et notarium capituli. Et si voluerint plures habere de consilio, habeant de quatuor . . dignitates maiores infra dictam ecclesiam obtinentibus, vel archidiaconis, vel canonicis prebendatis in dicta ecclesia admissis et iuratis; qui omnes introducendi per Nos vel successores nostros de fideliter consulendo et assistendo episcopo, et secreta

(*b*) In respect to the time of Visitation to be observed by our successors in the aforesaid Church, let them visit once only, at the most, every seven years. And We are moved thus to extend the time for the Visitation of our successors, in that the Canons of our aforesaid Church, assembled in Chapter, have considered and affirmed, that on any and every day We, or the Bishop for the time being, can enter the Chapter as a Canon, and, if any things be referred for correction to Us or to the Bishop for the time being, We (or he) can as Bishop enjoin that they be corrected, and see the things that should be corrected corrected, and those that should be reformed reformed, and in case of neglect can correct and reform, and can view and examine the titles of benefices.

(*c*) As to the fixing beforehand of the day of Visitation, let our mandate and that of our successors run for a space of at least forty days from the time of the receipt of the mandate by the Dean or his *locum tenens* or President of the Chapter; and let the question of actual delivery of the same mandate be established by sufficient proof.

(*d*) And as regardeth the summoning of Canons and others, a citation placed in the stalls shall effectually bind those who are to be cited, according to the observances and statutes of the Church heretofore accustomed.

(*e*) In respect of those who are to be brought in with Us into the Chapter House at the time of making such Visitation, it is ordained that We have liberty of introducing whomsoever we will, during our own time. And as for our successors, in enquiring into things which should be disclosed, let them have with them their own notary, and a clerk, whomsoever they will, men of good report and unmarried, as well as the Chapter notary. And if they will have more for their counsel, let them take them from those who hold the four greater dignities within the said Church, or from the Archdeacons, or from the Canons holding prebends in the said Church, having been admitted and sworn. All of which persons, to be introduced by Us or our successors, shall make corporal oath touching giving faithful counsel and assistance to the Bishop,

A.D. 1392. visitacionis huiusmodi quamdiu sunt secreta tenendo, et quod nullam omnino fraudem committent, seu committet eorum aliquis; sed quod detecta per visitandos in huiusmodi visitacione, et non alia, scribant fideliter, tactis sacrosanctis, corporale prestent iuramentum.

(*f*) Et in exhibicione et discucione titulorum et literarum ordinum habeamus nos consilium quod elegerimus et pars quod ipsa elegerit; ac episcopus pro tempore consilium quod [elegerit, et pars coram eo exhibens consilium quod] elegerit.

(*g*) Quantum ad visitacionem faciendam in capitulari domo, quod visitemus et Episcopus visitet ecclesiam cathedralem Sar' presertim inquirendo si Statutum bone memorie domini Rogeri nuper Episcopi *De rebus ecclesie conseruandis* editum quod incipit "*Ne per ignoranciam*, &c.,"[1] sit observatum Et si non, faciamus, et episcopus pro tempore faciat, quod observetur; ¶deinde quod visitemus, et visitet episcopus pro tempore, capitulum; et si aliqua dete*gantur concernencia capitulum emendanda, et reformanda, ad commonicionem et iussionem nostram, et episcopi pro tempore, per Decanum et capitulum infra certum tempus competeros emendentur, ¶alioquin si non emendetur infra idem tempus, emendemus et reformemus nos et Episcopus pro tempore, vel faciamus, et faciat Episcopus pro tempore, emendari et reformari.

* f. 59 = p. 129.

(Correctiones ad Decanum et capitulum pertinent, non ad episcopum.)

(ii.) (*a*) Subsequenter visitemus, et visitet episcopus pro tempore, Decanum, Precentorem, Cancellarium, et Thesaurarium et singulos canonicos prebendatos, qui singuli intitulati supradicti titulos beneficiorum suorum huiusmodi quorum presentacio, institucio, collacio, admissio, confirmacio, seu quevis alia disposicio ad nos et episcopum pro tempore pertinet, et literas suorum ordinum exhibeant, quorum titulorum et literarum ordinum dimissa copia penes registrarium nostrum, et episcopi pro tempore; ¶Restituantur originalia, facta collacione, et

Nota.

[1] This is § xi. in the Code of Bishop Roger de Mortival (see above, p. 170).

keeping the secrets of such Visitation so long as they are secret, and that they and every of them do nothing deceitfully, but write faithfully the things disclosed by such as are to be visited, in such Visitation, and no other: touching the holy things [when they take their oath].

(*f*) Also in the exhibition and examination of titles and letters of Orders, that We have such counsel as We may choose, and the party such as he may choose, and the Bishop for the time being the counsel which he shall choose, and the party exhibiting before him the counsel which he shall choose.

(*g*) As respecteth the making Visitation in the Chapter House, it is ordained that We do visit, and the Bishop do visit, the Cathedral Church of Salisbury, making especial enquiry whether the statute put forth by the Lord Roger of honoured memory, late Bishop, *Concerning the preservation of the things of the Church*, which beginneth thus, *Lest through ignorance, etc.*, be observed. And if not, let Us see, and let the Bishop for the time being see, that it be observed. Next, that We do visit, and the Bishop for the time being do visit, the Chapter; and if any matters be disclosed concerning the Chapter, which should be amended and reformed, by our monition and command, and that of the Bishop for the time being, let them be by the Dean and Chapter within a certain time amended. Otherwise, if not amended within the same time, We, and the Bishop for the time being, are to amend and reform them, or cause them to be amended and reformed.

(ii.) (*a*) Subsequently it is ordained that We do visit, and the Bishop for the time being do visit, the Dean, Precentor, Chancellor, Treasurer, and all the Canons holding prebends. And they, the above-named holders of titles, shall one and all exhibit the titles of such their benefices, whereof the presentation, institution, collation, admission, confirmation, or any other disposition, pertaineth to Us and to the Bishop for the time being; and they shall exhibit the letters of their Orders; of which titles and letters of Orders a copy is to be left with our Registrar, and the Registrar of the Bishop for the time being, the originals, after comparison, being restored and not taken

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non portentur ad extra. Et si defectus reperiatur in titulis Decani vel alicuius Canonici vel literis ordinum eorundem, Nos et episcopus pro tempore cum consilio quod elegerimus, et episcopus pro tempore eligerit, eciam iudicio Capituli, hoc est in capitulo et Capitulo si voluerit assistente, ac consilio Capituli super hoc requisito et etiam exspectato, discuciamus, finiamus et determinemus, ac discuciat, finiat, et determinet episcopus pro tempore in domo capitulari et non extra pro tempore visitacionis.

(Iudicio Capituli.)

(*b*) Si vero extra visitacionem titulus Decani vel alicuius Canonici fuerit impugnandus, discuciamus et discuciat episcopus pro tempore in domo capitulari iudicio capituli, hoc est in capitulo, et capitulo si voluerit assistente, ac consilio capituli super hoc requisito et eciam exspectato, in propria persona si voluerimus, et episcopus pro tempore si voluerit, vel committamus aut committat episcopus pro tempore vni canonico prebendato in dicta ecclesia, admisso prius in canonicum per capitulum et iuratum in forma supradicta, qui auctoritate nostra, et Episcopi pro tempore, iudicio capituli, hoc est in capitulo et Capitulo si voluerit assistente, ac consilio Capituli super hoc requisito et expectato, discuciat et determinet;

(Archidiaconi.)

¶ Reservata nobis et episcopo pro tempore, quantum ad archidiaconos, libertate † procedendi ad infra vel extra, ac etiam reseruata omnibus et singulis predictis exhibituris potestate consenciendi quod fiat exhibicio et discucio titulorum ad extra, si voluerint exhibentes.

† f. 59ᵇ = p. 130.

(iii.) Visitemus etiam nos et visitet episcopus pro tempore eadem die vel etiam alia die (1) officia perpetua in dicta ecclesia obtinentes,[1] (2) vicarios chori, (3) Capellanos cantarias habentes, (4) et Stipendiarios, (5) et alios

[1] The "permanent officials"—described above as "*perpetua officia habentes*"—were the Sub-Dean, Sub-Chanter (or Succentor), and the Master of the Grammar School. (See Sarum *Fasti*, p. 263.) This is clear from the entries in the contemporary register of Archbishop Courtenay at Lambeth, in which the clergy of Salisbury Cathedral are cited in the following order:—(*a*) the "Quatuor Personæ"; (*b*) the four Archdeacons; (*c*) the Canons, viz. 24 having priest-prebends, 16 deacon-prebends, 11 sub-deacon prebends; (*d*) the officials, viz. the Penitentiary (or Sub-Dean), the Sub-Chanter, and the Master of the Grammar School; (*e*) the Vicars, viz. 25 priest-vicars, 18 deacon-vicars, 11 sub-

outside. And if defect be found in the titles of the Dean or any Canon, or in the letters of Orders of the same, we and the Bishop for the time being, with such counsel as We or he shall choose, and also with the judgement of the Chapter (that is, in Chapter, and the Chapter, if it please, assisting) and with the advice of the Chapter, asked and also awaited thereupon, We are to examine, define, and determine it, and the Bishop for the time being is to examine, define and determine it, in the Chapter House and not outside it, during the time of the Visitation.

(*b*) If, however, outside the time of the Visitation the title of the Dean or of any Canon have been impugned, it shall be examined by Us, or by the Bishop for the time being, in the Chapter House by the judgement of the Chapter (that is, in Chapter, and the Chapter, if it please, assisting) and by advice of the Chapter, asked and also awaited, thereupon—We, acting in our own person, if it be our pleasure, the Bishop for the time being, if it be his; and likewise or else We, or the Bishop for the time being, shall commit the matter to some Canon holding a prebend in the said Church, having been first admitted to be Canon by the Chapter and sworn in the form above-rehearsed; who by the authority of Us, or of the Bishop for the time being, by the judgement of the Chapter (that is, in Chapter, and the Chapter, if it please, assisting) and with the advice of the Chapter, asked and awaited thereupon, shall examine and determine the matter; there being reserved to Us, and to the Bishop for the time being, as well as to the Archdeacons, liberty of proceeding, whether within or without, there being reserved also to all and singular the aforesaid persons who are to make exhibition power of consenting to the exhibition taking place and the examination of titles *ad extra*, if it be the exhibitors' pleasure.

(iii.) It is ordained also that We visit, and the Bishop for the time being visit, on the same or on another day, (1) the holders of perpetual offices in the said Church, (2) Vicars-choral, (3) Chaplains having chantries, (4) Stipendiaries, and (5) other Ministers of the said Church.

deacon vicars; (*f*) the Chantry Priests, etc. (See Mackenzie E. C. Walcott's *Cathedralia*, p. 23.)

A.D. 1392. ministros dicte ecclesie,—in qua visitatione dicta officia obtinentes perpetua, Capellani cantarias habentes, titulos officiorum, Cantariarum suarum huiusmodi, ac ordinaciones cantariarum eorundem; necnon tam illi quam alij vicarij stipendiarij supradicti literas ordinum suorum exhibeant, a quibus eciam inquiratur de defectibus corrigendis et reformandis, eciam singulorum habitancium infra clausum. Ita tamen quod illi habitantes infra clausum qui non sunt ministri ecclesie non compareant in visitatione, nec ab illis fiat inquisitio.

(*a*) Et si qui defectus reperiantur correccione seu reformacione digni, ad commonicionem et jussionem nostras, et episcopi pro tempore, infra tres menses per Decanum (per se, eiusve locumtenentem) vel Decanum et capitulum, vel capitulum cum Presidente, prout correctio et reformacio huiusmodi extra visitacionem huiusmodi fieri solebat, corrigantur et reformentur. ¶Alioquin, si infra illud tempus non corrigantur nec reformentur, tempore illo elapso, Nos, pre oculis Deum habentes, secundum iuris exigenciam defectus huiusmodi corrigamus et reformemus, et Episcopus pro tempore corrigat et reformet; ¶Salva correccione et reformacione nobis et episcopo pro tempore in hijs que committuntur ad extra, ac eciam plenaria discucione, diffinicione et determinacione titulorum perpetua officia, et cantarias ad collacionem nostram et episcopi pro tempore pertinentes, in dicta ecclesia obtinentium, et in futurum obtenturorum.

(*b*) Quantum ad modum inquirendi de defectibus in visitacione, fiat inquisitio de detegendis, ut est iuris: et cesset omnis inquisicio et deteccio criminum et defectuum in huiusmodi visitacione finitis quinque * diebus a tempore incoate visitacionis continue numerandis.

* f. 60 = p. 131.

(*c*) Quantum ad correccionem et reformacionem defectuum, detectorum, et compertorum de canonicis et

In which the said Visitation the holders of perpetual offices and Chaplains having chantries shall exhibit the titles of their offices and of such their chantries, and the ordinances of the same chantries, and as well they as other stipendiary Vicars above-mentioned shall exhibit the letters of their orders. From whom also enquiry shall be made touching defaults needing correction and reformation of all persons dwelling within the Close; so, however, that those dwellers within the Close which be not ministers of the Church appear not at the Visitation and that enquiry be not made from them.

(*a*) And if any faults be found worthy of correction or reformation, at the monition and commandment of Us, or of the Bishop for the time being, let them be within three months, by the Dean (in person or through his *locum tenens*) or the Dean and Chapter, or the Chapter with the President thereof, corrected and reformed, in the way that such correction and reformation were wont to be made at times when such a Visitation is not pending. Otherwise, if within that time they be not corrected or reformed, when that time has elapsed, We, having God before our eyes, according as justice requires, are to correct and reform them, and the Bishop for the time being is to correct and reform them, saving the right of correction to Us and the Bishop for the time being in those faults which shall be committed without, and also plenary examination, scrutiny, and determination of the titles of those who in the said Church hold, or shall in time to come hold, perpetual offices and chantries pertaining to our collation and the collation of the Bishop for the time being.

(*b*) As for the manner of making enquiry concerning faults at the Visitation, let inquisition be made concerning things which should be disclosed, as justice may require, and let there be an end of all enquiry and revealing of crimes and faults at such Visitation at the expiry of five days, to be continuously reckoned from the time of the beginning of the Visitation.

(*c*) In respect to the correction and reformation of faults, and of things revealed and discovered concerning Canons and others who are to be visited in the Chapter

A.D. 1392. alijs in domo capitulari visitandis, fiat correccio ut infra sequitur,—videlicet, corrigamus Nos, et episcopus pro tempore corrigat, defectus Decani iudicio Capituli, hoc est in capitulo et Capitulo si voluerit assistente, ac consilio Capituli super hoc requisito ac eciam exspectato. ¶ Detecta vero ceterorum Canonicorum simplicium per Decanum et Capitulum, vel Decanum per se, prout extra visitationem competijt, ad commonicionem et iussionem nostras, et episcopi pro tempore, corrigantur infra tres menses a tempore commonicionis et liberacionis compertorum continue numerandis faciend. ¶ Alioquin lapso termino si non corrigantur, nos Deum habentes pre oculis defectus huiusmodi in domi capitulari Sar' et non extra corrigamus et reformemus, et episcopus pro tempore corrigat et reformet.[1]

(*d*) Quantum ad exhibitionem titulorum Precentoris, Cancellari et Thesaurarii, licet non contineantur sub statuto quod incipit "*Dignitas Decani*," &c.,[2] attamen nos ex gratia, et ad instantem rogatum Canonicorum, et intuitu Personarum jam incumbentium in eisdem dignitatibus, volumus quod includantur sub statuto predicto, videlicet, quod fiat exhibitio titulorum et literarum ordinum in domo capitulari, et per Nos, et per Episcopum pro tempore, ibidem discutiantur, ut supra in aliis comprehensis in statuto.

(De Statuto *Dignitas Decani*:—cf. p. 28.)

(*e*) Et quantum ad crimina, et defectus detectos, corrigantur et reformentur per Nos, et Episcopum pro tempore, in domo capitulari secundum effectum eiusdem statuti, reservata nobis et episcopis pro tempore immediata iurisdictione et subiectione in dignitatibus predictis et quibuscunque personis illas pro tempore obtinentibus.

"Nota tangit decani iurisdictionem haec reseruatio." (*S. Ward.*)

(*f*) Item pro visitatione hujusmodi nulla detur procuratio nobis, nec episcopo pro tempore visitant*ibus*, nec nostris, aut episcopi pro tempore, commissariis.

Nota modum procedendi, et

[1] "Episcopus Sarum non visitat Personatus . . Detecta Canonicorum corrigit Capitulum ad commonicionem Episcopi." (*Libr. Albus Eccl. Cathedr. Wellensis* in responsione *de Consuetudinibus Eccl. Sarum cir.* 1327), p. 167.)

[2] See above, p. 28.

House, let correction be made as followeth; that is to say:—Correction shall be made by us, or by the Bishop for the time being, of deficiencies of the Dean by the judgement of the Chapter (that is to say, in Chapter, and the Chapter, if it so please assisting) and by the advice of the Chapter asked and also awaited thereupon; but of faults discovered in the other or simple Canons, let correction be made—within three months reckoned successively from the time of such admonishment and the delivery of the return of the list of faults,—by the Dean and Chapter, or the Dean by himself, according as it is competent for him outside his Visitation, at the monishment and command of us or of the Bishop for the time being. Or else, if they be not corrected within that space of time, We, having God before our eyes, are to correct and reform, and the Bishop for the time being is to correct and reform, such deficiencies, in the Chapter House of Salisbury and not outside.

(*d*) As regardeth the exhibiting of the titles of the Precentor, the Chancellor and the Treasurer, though they be not contained under the statute beginning "*The Dignity held by the Dean*," *etc.*, nevertheless We, of our favour and at the urgent prayer of the Canons, and having respect to the "Personae" now enjoying the same dignities, declare our pleasure that they be included under the statute aforesaid; that is to say, that exhibition be made of titles and letters of orders in the Chapter House, and by Us, or by the Bishop for the time being, be there examined, as above in other matters comprised in the statute.

(*e*) And as regardeth crimes and faults discovered, let them be corrected and reformed by Us, or by the Bishop for the time being, in the Chapter House, according to the effect of the same statute, reservation being made to Us, and to the Bishop for the time being, of immediate jurisdiction and superiority in respect of the aforesaid dignities, and of all persons whosoever for the time being holding them.

(*f*) Also, for such Visitation no procuration is to be given to Us, or to the Bishop for the time being, holding Visitation, nor yet to our Commissaries or those of the Bishop for the time being.

A.D. 1392.

recipiendi episcopum in casibus expressatis in sectione *Quantum* ex alia parte huius folii, in principio. † f. 60ᵇ = p. 132.

II. ¶ Item quantum ad pulsationem campanarum pulsentur campane in adventu ad ecclesiam cathedralem et in recessu nostris, quandocunque nobis placuerit, facta tamen super hoc premonitione Decano, † ejus[ve] locum tenenti, vel presidenti Capituli pro tempore existenti, quod servetur.

III. ¶ Quantum ad modum processionis, quod fiat processio prout nos premonuerimus pro tempore nostro; ¶ Quantum ad nostros successores pulsentur campane in eorum introitu et ultimo vale, in ordinibus celebrandis, et Crismate consecrando, et visitatione solempni; et si ob negocia regni, ecclesie universalis, vel ecclesie Sar', absentes fuerint extra regnum, vel peregre profecti fuerint extra regnum, pulsetur in ipsorum adventu et recessu; ¶et fiant processiones contra eos in primo introitu et ultimo vale, secundum morem consuetum; et in tempore visitacionis et absencie, vt prefertur, in capis sericis; alijs temporibus limitatis superius, in habitu canonicali et ad ostium occidentale ecclesie,—Prouiso quod processiones et pulsaciones huiusmodi fiant talibus temporibus ne diuinum officium in ecclesia, eo pretextu, saltem in missis et vesperis diei solempnibus, impediatur.

IV. Quantum ad celebrationem in capellis infra mansa canonicorum infra clausum Sar' predictum, licet de antiqua et approbata consuetudine in huiusmodi capellis consueverunt Decanus et Canonici ipsius ecclesie divina celebrare et facere celebrari, tamen pro securanda conscientia singulorum volumus et concedimus quod ipsi et eorum quilibet habeant potestatem liberam et facultatem celebrandi et celebrari faciendi diuina in capellis huiusmodi infra clausum nunc situatis pro se et successoribus suis imperpetuum.

V. Item quantum ad oblaciones ad et super summum altare, et cetera altaria ecclesie predicte, faciendas, percipiant eas canonici prout in carta bone memorie Osmundi, quondam Sarum episcopi, continetur, eciam si ad manus episcopi pro tempore in die intronisacionis et installacionis

(Cf. p. 20, *supra*.)

II. Also, as regardeth the tolling of the bells, let the bells be tolled at our going to and from the Cathedral Church, whensoever We please, notice thereof nevertheless being given to the Dean or his *locum tenens*, or the President of the Chapter for the time being, to see that it be observed.

III. As to the manner of procession, it is ordained that the procession be made according as We shall have given notice during our time. And as regardeth our successors, let the bells be tolled at their entrance and last farewell, when ordaining, when consecrating chrism, and at solemn Visitation. And if, because of business of the Realm, of the universal Church, or of the Church of Salisbury, they be absent beyond the Realm, or have gone abroad outside the Realm, the bells shall be tolled at their coming and going. And let there be processions to meet them at their first entrance and last farewell, according to the accustomed manner, as well as in time of Visitation and of absence, as afore stated—in copes of silk, but, at other times, limited above, in canonical habit—and at the west door of the Church. Provided that such processions and tollings be made at such times that the Divine office in the Church, at least at Masses and solemn Evensong of the day, be not hindered on that pretext.

IV. As regardeth the celebration in the chapels within the Canons' manses within the Close of Salisbury aforesaid, albeit, of old and approved custom, the Dean and Canons of the same Church have been wont to celebrate and cause to be celebrated Divine service in such chapels, nevertheless, that the conscience of one and all may be secure, we will and grant that they and every of them have free power and liberty to celebrate and cause to be celebrated Divine service in such chapels now situate within the Close, for themselves and their successors for ever.

V. Also, in respect of the offerings to be made at and upon the high altar and the other altars of the aforesaid Church, the Canons shall receive them according as they are contained in the charter of Osmund of honoured memory, sometime Bishop of Salisbury, even though they be offered into the hands of the Bishop for the time being on the day of the inthronization and installation

A.D. 1392. eiusdem offerantur; ¶ remaneantque ecclesie ornamenta qualitercunque oblata, non obstante statuto et carta predicta, dummodo illa inter canonicos non diuidantur; ¶ Reseruatis tamen nobis, et episcopo pro tempore, medietate auri in die sepulture, eciam Nobis, vel episcopo pro tempore, missam celebrantibus, prout in dictis carta et Statuto continetur, et oblationibus in festo reliquiarum et per octabas * eiusdem oblatis, Nobis, et episcopo pro tempore, semper salvis.

* f. 61 = p. 133.

VI. Item quantum ad fructus, commoditates et proventus decanatus vacantis et iurisdiccionem eiusdem, et omnia alia obuenientia tempore vacacionis, pertineant ad capitulum plenarie, pacifice, et quiete; et illa omnia habeat et exerceat plenarie in futurum.

VII. Item quantum ad iurisdiccionem in prebendis canonicorum ipsius ecclesie cathedralis Sar', habeant prebendarij plenariam iurisdiccionem ordinariam in causis, locis et personis infra iurisdiccionem prebendalem, et loca corporum prebendalium, exceptis illis prebendis que excipiuntur in statuto Rogeri quondam Sarum episcopi quod incipit *Institutionem*,[1] &c., in quibus habeamus nos et episcopus pro tempore, prout continetur in eodem statuto, et libere sint prebende huiusmodi in statuto predicto non excepte a visitacione nostra speciali et episcopi pro tempore, visitatione et jurisdictione decanali in omnibus et per omnia decano et successoribus suis semper salvis, ¶ Reseruata nobis, et episcopis pro tempore, potestate quod si que crimina in eisdem prebendis nobis et episcopo pro tempore fuerint delata seu detecta, nos et episcopus pro tempore possumus et possit iniungere Decano vel Canonico in singulis prebendis, quod ipsi vel eorum alter huiusmodi crimina corrigant et emendent infra certum tempus limitatum per nos et episcopum pro tempore moderandum; alioquin nos huiusmodi corrigamus et emendemus, ac episcopus pro tempore, corrigat

Nota: ordinariam.

(Reservatio decanalis iurisdictionis in omnibus et per omnia.)

[1] The statute alluded to here is § xxi. in the Code of Bishop Roger de Mortival. (See above, p. 194.)

of the same. And let the ornaments of the Church remain, in whatever way they have been offered, notwithstanding the statute and charter aforesaid, provided that they be not divided among the Canons; there being reserved nevertheless to Us, and to the Bishops for the time being, a moiety of the gold offered on the day of a burying, and also when We, or the Bishop, for the time being, celebrate Mass, according as is contained in the said charter and statute: the offerings at the Feast of Relics also, and the offerings during the octaves of the same, being always kept for Us and for the Bishop for the time being.

VI. Also, as regardeth the fruits, commodities and profits of the Deanery when vacant, and the jurisdiction of the same, and all other things accruing in the time of vacancy, let them belong to the Chapter fully, peacefully and quietly, and let the Chapter have and exercise them all fully in time to come.

VII. Also, as regardeth jurisdiction exercised in respect of the prebends of the Canons of the same Cathedral Church of Salisbury, let the Prebendaries have plenary jurisdiction as ordinary in causes and places and over persons within their prebendal jurisdiction, and the places of each prebendal *corpus*, except those prebends which be excepted in the statute of Roger, sometime Bishop of Salisbury, beginning, "*The Institution*," *etc.*; wherein We, and the Bishop for the time being, shall have jurisdiction according as is contained in the same statute and such prebends, not excepted in the aforesaid statute, shall be free from special Visitation of Us or of the Bishop for the time being, saving always the decanal visitation and jurisdiction, in and by all things, to the Dean and his successors, and reserving to Us and the Bishops for the time being this power that, if any misdoings in the same prebends shall have been delated or discovered to Us or the Bishop for the time being, We can, and the Bishop for the time being can, enjoin on the Dean and Chapter, in each and every prebend, that they, or either of them, do correct and amend such misdoings, within a certain limited time to be fixed by Us or the Bishop for the time being; otherwise that We do correct and amend such crimes, and the

A.D. 1392. et emendet; ¶ salvis etiam nobis et episcopis pro tempore casibus appellationum querelarum, et necgligentie, ¶ salvis etiam nobis et episcopis pro tempore in quibuscunque alias superius non expressatis juribus libertatibus et consuetudinibus pontificalibus, ac ecclesie nostre Sar' predicte dignitate.

Et movent nos ad concedendum premissa, eo quod, quandocunque sunt aliqua crimina nobis vel episcopo pro tempore delata, possumus, et potest episcopus pro tempore, iniungere Decano vel canonico prout superius est expressum quod corrigantur et reformentur, ac videre et scire quod huiusmodi crimina sint correcta et emendata, vel in casu necligentie predictorum corrigere et reformare; ¶ salva etiam nobis, et episcopo pro tempore, potestate dictam ecclesiam cathedralem Sar' canonicos et ministros ipsius ecclesie plenius libertandi,[1] prout nobis et ei imposterum videbitur expedire.

Que omnia et singula, de nostro et Decani et Capituli Canonicorumque dicte ecclesie nostre consensu et assensu vnanimi, sunt concorditer pacificata et pro futuris temporibus tenenda, facienda, exercenda, et obseruanda, stabilita, et concorditer ordinata Nobis et successoribus nostris Episcopis Sar' pro tempore existentibus in singulis articulis premissis, causis heretice, scismatice, simoniace, et apostatice † pravitatis plenarie reseruatis; juribusque et libertatibus ac consuetudinibus episcopalibus, ac ecclesie nostre Sar' dignitate, in quibuscunque superius non expressatis ac per omnia semper salvis.

† f. 61b = p. 134.

In quorum omnium fidem et testimonium has literas nostras, sive presens publicum instrumentum, sigillo nostro una cum appensione sigilli Capituli ecclesie nostre cathedralis Sar' predicte, ac signis et subscriptionibus Ricardi Pittes nostri, et Willelmi Dunham dictorum Decani et Capituli in hac parte actorum scribarum,

[1] "Libertare: (1) manumittere, (2) libertatem conferre." (Du Cange, *Glossar.*)

Bishop for the time being shall correct and amend them; saving also to Us and the Bishops for the time being cases of appeals, plaints, and negligence, saving moreover to Us and the Bishop for the time being, in all things whatsoever which be not above expressed, all pontifical rights, liberties and customs, and the dignity of our aforesaid Church of Salisbury.

Moreover, We are moved to grant the premisses in that, whenever any crimes have been delated to Us, or the Bishop for the time being, We have power, and the Bishop for the time being hath power, to enjoin on the Dean or Canon, according as is above expressed, that they be corrected and reformed, and also to see and ascertain that such crimes have been corrected and amended, or, in case of the said persons' neglect, themselves to correct and reform them; saving also to Us, and to the Bishop for the time being, the power of according full liberty to the said Cathedral Church of Salisbury, the Canons and Ministers of the same, according as shall hereafter seem expedient to Us or to him.

All and every of which matters, with the unanimous consent and assent of Us and of the Dean and Chapter and Canons of our said Church, have been by common agreement peacefully settled, established and ordained to be in all time to come held, done, exercised, and observed, with full reservation to Us and our successors, Bishops of Salisbury for the time being, in each and every article premised, of causes of heretical, schismatical, simoniacal and apostatical pravity; and saving always and everywhere the rights, liberties, and customs episcopal, and the dignity of our Church of Salisbury, in whatsoever things are not above expressed.

For assurance and testimony of all which matters We have caused these our letters, or the present publick instrument, to be fortified by our seal, together with the appending of the seal of the Chapter of our Cathedral Church aforesaid, and the signs and subscriptions of Richard Pitts, agent and scribe for Us in this behalf, and of William Dunham, the same of the said Dean and

A.D. 1392. clericorum Lincoln. dioces', publicorum auctoritate apostolica notariorum, fecimus communiri.

Chapter House, 30 Aug. 1392. Datum et actum in domo capitulari ecclesie nostre Sar' predicte penultimo die mensis Augusti anno ab incarnacione Domini, secundum cursum et computacionem ecclesie Anglicane, Mcccxcii; Indictione xv; pontificatus sanctissimi in Christo patris et domini nostri domini Bonifacii, diuina providentia Pape, noni, anno tercio,—Presentibus domino Stephano Percy, canonico in ecclesie conuentuali de Wherwell, Winton. dioces.; Johanne Iklyngton, rectore parochialis ecclesie Scī Andree in Holburn, in suburbio London, et alijs.[1]

*** In the *Liber. Ruber.*, ff. 160–162, there is a xvth-century copy of a set of *Additional Statutes*, of the close of the xivth century, described as—

A.D. 1399. *Additiones per* Thomam [de Monteacuto] Decanum *et* Capitulum, 26 Julij, 1399.

(1) de firmis. (2) de litibus inter canonicos. (3) de oblacionibus pentecostalibus. (4) de rewardis et remuneracionibus in ebdomada pentecostes. (5) de conuocacione canonicorum,§ sede vacante, vel decanatu vacante. (6) de composicione inter Archiepiscopum et Decanum, sede vacante. (7) de visitacione monasterij per Decanum et Capitulum, sede vacante. (8) de xx. marcis pro obitu Will. Edyngdon [Episcopi Winton., qui interijt die xj. (*al.* vij.) Octob. A.D. 1366. Cf. *Salisbury Processions*, 1901,

§ (The citation being placed in the Canon's stall, his Vicar was to forward it to him if the Prebendary were absent.)

[1] The right of the Bishop to visit the Cathedral, notwithstanding the above "composition," was again challenged in the time of Bishop Seth Ward (1682) by Thomas Pierce, the Dean. The latter went so far as to present a petition to the King, in which he protested against the right of the Bishop to visit the Church of Salisbury, as being under the Dean's peculiar jurisdiction, and only subject to a royal or metropolitical Visitation. The King (Charles II.) referred the matter to the Lord Keeper of the Great Seal, Lord North, who made a report, distinctly affirming the right claimed by the Bishop. This was forwarded to the Dean, with the expression of the King's entire approval of it, and with a direction that it should, to prevent further dispute, be entered in the Chapter registers. The report is printed *in extenso* in the Cathedral Commissioners' Report (1852), p. 413 (*J.*) Bishop Ward, whose fine intellect became clouded in his last years, revived sufficiently to take the Dean's hand when the latter made his apology in July, 1686. See Dr. Walter Pope's *Life of Bishop Ward*. Also the earlier notes of 2nd March, 1682 3 in *Liber Ruber*, last leaf, and S. Ward's *Notitiae*.

Chapter, both being clerks of the diocese of Lincoln, and by Apostolic authority notaries publick.

Given and done in the Chapter House of our aforesaid Church of Salisbury, on the last day but one of August, in the year from the Incarnation, according to the course and reckoning of the Church of England, the one thousand three hundred ninety and second, the fifteenth Indiction, and the third year of the pontificate of our most holy Father in Christ and Lord, the Lord Boniface, by divine providence Pope, the ninth of that name. In the presence of Sir Stephen Percy, Canon in the Conventual Church of Wherwell in the diocese of Winchester, John Iklington, Rector of the Parish Church of St. Andrew in Holburn, in the suburb of London, and others.

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pp. 25, 186, 213, 225, 240, 312]. (9) de xx. solidis pro obitu Alexandri Hemyngsby [qui obijt 21 die Julij, *cir.* A.D. 1334.[2] (10) de messuagijs in ciuitate Sar' ex assignacione Will. Teynturell.[3] (11) de redditu (17*s.* 4*d.*) recipiendo per Decanum et Capitulum vltra salarium altariste quod extendit ad 36*s.* 4*d.*[4] (12) de bonis legatis ad fabricam. (13) De compoto reddendo per officiarios. (14) de statu Ecclesie videndo. Item, De solucione 50 marcarum per Nic. Upton, racione Precentorie. 26 Jul. 1399. (W. Teynturell's obit.)

Ad finem Libri Rubri. De canonico simplici ad dignitatem electo.[5] De verbis opprobriosis per canonicos [? non] proferendis.[6] 1 June, 1446.

[2] Cf. *Processions*, p. 237; *Wilts. Chantry Certif.*, 58, *No.* 85, *al.* 89(7).

[3] Cf. *missas currentes* ad altare S. Margarete, A.D. 1473. Obitus Teynturell et Ymane, xix. die Julij. *Salisbury Processions*, 224, 237. *Chantry Certif.*, 58, *No.* 85, *al.* 89(22).

[4] The altarists were then charged (26th July, 1399) to report to the Master of the Fabrick every failure of the Vicar or Chaplain to celebrate at the altar where they were respectively appointed to serve at *missae currentes*. On altarists, see below, pp. 375, 379.

[5] It was then declared (1st June, 1446) that a Canon at his promotion to a Dignity was to pay 50 marcs to the Canons Residentiary, in addition to his having paid 100 marcs and 100*s.* already. Cf. p. 311.

[6] A Canon using opprobrious words in the Chapter House or precincts was, according to the Chapter Act made 1st June, 1446, Precentor E. Prentys presiding, to lose his residence for the term; if he had also used violence, the suspension was extended to a year; or in case he had attacked another with knife or staff, he was perpetually deprived.

† f. 53b = p. 118.

† *Statutum*[1] *de finibus canonicorum ad residenciam nouiter receptorum.*

A.D. 1428–9.

OLD STATUTE BOOK (E.), *fol.* liii. B.

Septimo die mensis Januarii Aō Dnī 1428, in domo capitulari ecclesie cathedralis Sar*um*, venerabilibus viris et dominis, Magr' Symone Sydenham, decano, Edwardo Prentys, precentore, Johanne Fyton, cancellario, Alexandro Sparwe, archidiacono Sar*um*, Roberto Brown, Oliuero Dyneley, Willielmo Ingram, Willielmo Swift, Johanne Luk, Johanne Whitmer', et Ricardo Richman, dicte ecclesie Sar*um* canonicis capitulariter congregatis, et capitulum vt apparuit facientibus, ac super certis negociis statum et vtilitatem eiusdem ecclesie tangentibus, et presertim super primo introitu et receptione canonicorum ad residenciam in dicta ecclesia faciendam, qui tam de statuto bone memorie beati Osmundi, quam Rogeri successoris sui, quoddam solempne conuiuium multo tamen nimis excessivum facere in suo primo aduentu conabantur, in quo quidem conuiuio aliqui preciositate sive curiositate vti volentes, nonnunquam centum libras et vltra exposuerunt, prefatique Decanus et Capitulum prouide attendentes illud in vtiliores dicte ecclesie vsus conuerti posse conuiuium huiusmodi, siue eius expensas in alia sancta opera et dicte ecclesie necessaria onera diuersa et quasi importabilia, que dicti Decanus et Canonici Residenciarij indies subeunt supportanda, Tum pro reparacione dicte ecclesie et campanilis, tum pro litibus et juribus prefate ecclesie defensandis, tum eciam pro reparacionibus suarum curiarum et aliarum firmarum

[1] This statute of 7th January, 1428–9, was confirmed by a "bull" of Pope Eugenius IV., dated at Florence, 28th July, 1442, Old Statute B., f.

A Statute concerning Fines of Canons newly received to Residence.[1]

On the seventh[2] day of January, A.D. 1428, in the Chapter House of the Cathedral Church of Salisbury, the venerable and worshipful Master Symon Sydenham, Dean, Edward Prentys, Precentor, John Fyton, Chancellor, Alexander Sparwe, Archdeacon of Sarum, Robert Brown, Oliver Dyneley, William Ingram, William Swift, John Lu(c)k, John Whitmere and Richard Richman, Canons of the said Church, being assembled in Chapter, and, as aforesaid, forming a Chapter, and deliberating upon certain matters touching the condition and welfare of the same Church, and especially upon the first entrance and receiving of Canons to make their residence in the said Church; which Canons, as well because of the Statute of Blessed Osmund, of honoured memory, as of that of his successor Roger, endeavoured to make at their first coming a certain ceremonious, but much too excessive, feasting, in which feasting some, desiring to display costliness or great painfulness, sometimes laid out a hundred pounds and more: Therefore the aforesaid Dean and Chapter—forethinking themselves that the feasting might be converted to more useful purposes of the said Church, or the expenses of the same to other holy works and divers necessary and, as it were, unbearable burdens of the said Church, the responsibility of which the said Dean and Canons Residentiary every day undertake, not only for the repairing[3] of the said Church and Bell-tower, but also for defending the suits and rights of the aforesaid Church, and also for the repairs of their courts and other farms belonging to the Common

52. The copy of it entered in Reg. *Harding*, f. lxxxxv., has a curious note in the margin, in an early hand: "*Stat*utum *fact*um *ex inspiracione Spiritus sancti.*"

[2] "Octavo": Jones; "vij°" MS. E. f. 53[b].

[3] About six years earlier the King had granted a patent to allot £50 a year *pro reparacione campanilis Eccl. Cathed. Sar.* (Pat. 1, Henry VI., p. 3, m. 29, vol. 30).

A.D. 1428. ad communam Decani et Residenciariorum pertinencium, Qui insuper, Decanus et Residenciarij, circa recepcionem et diurnam procuracionem dominorum tam spiritualium quam temporalium ad dictam ciuitatem veniencium, pro honestate ac aliqua necessaria vtilitate et dicte ecclesie defensione, multotiens mirabiliter onerantur;—Statuerunt

* f. 54 = p. 119. et ordinarunt, quod * extunc in antea perpetuis futuris temporibus; Simplices Canonici, centum et septem marcharum sterlingorum ac sex solidorum et octo denariorum monete Anglie[1] ad prebendas; Canonici vero, dignitates in dicta ecclesia obtinentes, centum et quinquaginta septem marcharum sex solidorum et octo denariorum consimilis monete summas, ad dignitates in dicta ecclesia recepcionum sive admissionum suarum temporibus, ad necessitates predictas, necnon pro seruanda per canonicos et vicarios dicte ecclesie ibidem fieri solita hospitalitate, ac supportandis canonicis et vicarijs predictis incumbentibus oneribus suprascriptis; et voluerunt quod dicti centum solidi, tam de dignitatem habente, quam de simplici canonico, sic recepti, inter vicarios, corustas,[2] et alios dicte ecclesie ministros, secundum quotas et quantas, quamdiu se bene gesserint diuidantur.

† f. 51b = p. 114. † *Statutum editum per Willielmum* [*Ayscough*] *Sarum Episcopum "super thesauro et fabrica" Ecclesie Cathedralis Sar' in Visitatione sua Aō Dnī Mccccxl.*

A.D. 1440. [Old Statute Book, E. *f.* 51b = p. 114; *Misc. et Statuta Decani, f.* 10b.]

Quoniam per incuriam atque desidiam custodum thesauri, magistrorum et clerici fabrice, ecclesie nostre

[1] Anglice: "monete in partibus illis currentis," Bulla Eugenii P. IV., 28th July, 1442. (The words "*ad prebendas*" are interlined in our text.)

[2] MS. "corustas," *i.e.* choristers. The form "*quiristers*" has survived at Winchester.

Fund of the Dean and Residentiaries; which Dean and Residentiaries, moreover, in respect of the reception of and daily purveying for the Lords, as well spiritual as temporal, coming to the said City, for seemliness and necessary profit and defence of the said Church, are many times marvellously burdened—have decreed and ordained that, for all future time from thenceforward, simple Canons do pay a sum of one hundred and seven marcs sterling and six shillings and eightpence of English money, in respect of their prebends; and that Canons holding dignities in the said Church pay a sum of a hundred and fifty-seven marcs six shillings and eightpence of like money, in respect of their dignities in the said Church, at the time of their reception or admission, towards the aforesaid needs, and also for the keeping up by Canons and Vicars of the said Church of the hospitality wont to be shown there, and the supporting the Canons and Vicars aforesaid charged with the above-written burdens. And they have determined that the said hundred shillings thus received, as well from the holder of a dignity as from a simple Canon, be divided among the Vicars, Quiristers and other Ministers of the said Church, according to due proportions, during good behaviour.

The foregoing statute of 1428–9 was subsequently confirmed by Pope Eugenius the Fifth, as is recorded at length in MS. E., ff. 54ª–55ª: "Sequitur confirmacio prescripti Statuti facta per Eugenium ['papam,' *altered in a* XVI*th-century hand to* 'Episcopum Romanum'] quintum, Florencie, anno Domini 1442, 5 Kal. Aug. [28th July], pontificatus sui anno 12°." For the interpretation (1st June, 1446), see page 307 *n.* [4].

Statute put forth by William, Bishop of Salisbury, "touching the Treasure and Fabrick" of the Cathedral Church of Sarum, at his Visitation, A.D. 1440.

Seeing that through the carelessness and sloth of the keepers of the treasure, and the masters and clerks of

A.D. 1440. Cathedralis Sarum, qui nonnulla bona ad thesaur*um* et fabricam predictas spectancia, nedum ad vsum Capituli ecclesie memorate verum etiam singularum personarum eiusdem absque securitate sufficienti, hactenus liberarunt et mutuarunt, ac indies liberare et mutuare non desistunt, dicte nostre ecclesie grauia et enormia dispendia prouenisse didicimus, ac maiora in futurum prouenire, nisi celerius occurratur, verisimiliter formidamus,—Nos igitur Willielmus, permissione divina Sar' Episcopus prefate ecclesie sponse nostre, cui nexu coniugali sumus astricti, cupientes indempnitati prospicere, de et cum communicato consilio et expresso consensu fratrum nostrorum Decani et Capituli ecclesie supradicte, statuendum duximus et ordinandum, quod singulis annis perpetuis futuris temporibus ante octavum diem mensis Octobris duo canonici prefate ecclesie Residenciarij, industria et fidelitate probati et circumspecti, in magistros operis fabrice dicte ecclesie per Decanum et Capitulum eiusdem nominentur, assumantur, et admittantur, circa constructionem, edificationem et reparacionem ecclesie ac ornamentorum eiusdem curam solertem et diligentem solicitudinem impensuros; qui in eorum admissione de fideliter conseruando et administrando bona, sue commissa disposicioni, coram Decano et Capitulo antedictis juramentum prestent corporale; annis singulis, quadraginta solidos de bonis ad eandem fabricam pertinentibus, ad quatuor anni terminos per equales porciones, in recompensacionem laboris quem in premissis sustinebunt eorum singuli absque reclamacione aliqua percepturi. ¶ Dicti quoque magistri fabrice, ac Decanus et Thesaurarius ecclesie nostre predicte, eorumve loca tenentes, quos canonicos residenciarios per Capitulum ad hoc deputandos et non alios intelligi volumus in hoc casu, Jocalium thesauri ac bonorum fabrice ecclesie supradicte custodes* reputentur et realiter existant, pixides oblacionum

* f. 52 = p. 115.

the fabrick, of our Cathedral Church of Salisbury (who have hitherto delivered and lent divers of the goods pertaining to the treasury and fabrick, not merely for the use of the Chapter of our said Church, but also for that of the several persons of the same, without sufficient security, and cease not daily to deliver and lend them), it hath come to our knowledge that weighty and enormous expenditure hath been incurred by our said Church, and We fear with much probability that still greater will be incurred in future, unless quickly prevented: therefore We, William by Divine permission Bishop of Salisbury, being desirous to provide that the aforesaid Church, our Bride, to which We are bound in wedlock, shall receive no harm, have thought good, by and with the counsel given and consent expressed of our brethren the Dean and Chapter of the above-mèntioned Church, that it should be decreed and ordained that, year by year in future times for ever, before the eighth day of October, two residentiary Canons of the aforesaid Church, of approved and tried industry and fidelity, shall be nominated, received and admitted by the Dean and Chapter to be Masters of the Fabrick of the said Church, as likely to devote vigorous care and anxious diligence on the construction, building and repair of the Church and of the ornaments of the same; who at their admission shall make corporal oath concerning the faithful preservation and administration of the goods committed to their trust, in the presence of the Dean and Chapter aforesaid. And every year, in recompense of the trouble which they shall sustain in the matters premised, each of them shall receive, without any deduction, forty shillings of the goods belonging to the same fabrick, at the four terms of the year in equal portions. Also the said Masters of the Fabrick, and the Dean and Treasurer of our aforesaid Church, or their *locum-tenentes*, who it is our pleasure shall be understood in this case to be Canons residentiary deputed hereunto by the Chapter, and no others, shall be deputed to be, and shall actually be, the keepers of the jewels, treasure and goods of the fabrick of the above-mentioned Church, and shall cause all and singular the boxes for offerings, of whatever kind, in the

A.D. 1440.

quarumcunque omnes et singulas in eadem ecclesia presentes et futuras, quotiens eas scrutari contigerit, omnes simul per seipos et non alios scrutari faciant. In eisdem § A large number of rings, "pairs of beads, or rosaries, jewels, *regalia* (royals) and other coins are thus enumerated in the Fabrick Accompt. inuenta § recipiant ac sic recepta necnon omnia et singula iocalia, hiis exceptis que in custodia ceterorum ecclesie ministrorum vsui cotidiano deputata consistunt, thesaurum et vniversa bona predicta ad fabricam et alia premissa pertinencia ac qualitercunque obueniencia, inibi inventa et per eosdem qualitercunque recipienda, recoligant, ac in quadam cista magna ad hoc ordinanda reponant fideliterque conseruent, quatuor firmanda seruris, quarum vnam clauem in Decani, aliam in Thesaurarii, eorumve loca tenencium supradictorum, et reliquas duas claues in dictorum magistrorum, seu deputatorum ab eisdem, manibus et custodia precipimus remanere. Ita tamen quod due claves ciste memorate vni persone nullatenus committantur, nec custodes earundem ad aperiendam seu firmandam cistam predictam claues antedictas cuiquam alteri liberent aut concedant, sed per seipsos illud studiosius exequi non desistant. ¶ Et vt eo maioribus laudum preconiis mereantur attolli quo ipsorum veritas latius patefacta consistit, adiciendo statuimus et statuendo precipimus singulis annis, tempore quo novi magistri fabrice, vt premittitur, assumendi fuerint et admittendi, in presencia antiquorum fabrice magistrorum, de omnibus bonis supradictis per ipsos custodes et magistros fidele confici et conscribi inventarium indentatum, tempore admissionis novorum magistrorum Capitulo deferendum et realiter ostendendum, cujus alteram partem in Registrario nostre ecclesie, aliam vero in Decani, Thesaurarii, et magistrorum prelibatorum custodia, consistere volumus et remanere. Ipsis[1] insuper magistris fabrice, † cum ad officium supradictum assumpti fuerint et admissi, de bonis in dicta cista reconditis per Decanum et Thesaurarium, eorumve loca tenentes,

† f. 52b = p. 116.

[1] *Omit* "ipsis": *Misc. et Stat.*, f. 11.

same Church, whether present or future, to be all examined together, by themselves and by no one else, whenever they happen to be examined. The objects found in them they shall enter, and everything thus entered, as well as all and singular the jewels—except those which have been set apart for daily use and are in the custody of the other Ministers of the Church—and the treasures and all the aforesaid goods pertaining to the fabrick and other premised purposes, and any finds whatsoever (being there found and by them under whatsoever head to be entered) they shall collect together, and deposit and faithfully preserve them in a certain large chest to be appointed for that purpose, to be secured with four locks, whereof one key We direct to remain in the Dean's hands and custody, another in the Treasurer's, or those of their above-mentioned *locum-tenentes*, and the other two keys in the hands and custody of the said Masters or persons deputed by them; so nevertheless that two keys of the said chest shall not be committed to one person, and that the keepers of the same shall not deliver or grant to any other person the aforesaid keys for the purpose of opening or fastening the aforesaid chest, but shall not be slack to perform that duty diligently in their own persons. And that they may deserve to be extolled with the greater meed of praise the more widely their integrity standeth revealed, We further decree and straitly order that, every year, at the time at which new Masters of the Fabrick, as premised, have had to be received and admitted, there shall, in presence of the old Masters of the Fabrick, be made and enrolled, by the Keepers and Masters themselves, a faithful indented inventory, which at the time of the admission of the new Masters is to be delivered and actually exhibited to the Chapter; whereof it is our pleasure that the one part shall be and remain in the Registry of our Church, and another in the keeping of the Dean, Treasurer, and aforesaid Masters. Moreover, to such Masters of the Fabrick, after their assumption and admission to the above-mentioned office, We command that from the goods laid up in the said chest there be every year delivered by the aforesaid Dean and Treasurer, or their

A.D. 1440. antedictos, singulis annis tantum precipimus quantum pro reparacionibus anno predicto faciendis sufficere putauerunt, ceterisque oneribus quibuscunque necessarie supportandis super liberatione predicta inter liberantes et recipientes, scriptis indentatis seu alijs conficiendis publicis documentis, de quibus sic ut prefertur receptis ac vniversis alijs bonis supradictis ad thesaurum et fabricam ecclesie memorate pertinentibus, prefati Decanus et Thesaurarius, eorumve loca tenentes, ac magistri antedicti, clericusque fabrice, de receptis scilicet dispensatis et ministratis per eosdem, prout eos et eorum singulos tangunt et concernunt, communiter vel divisim in fine cuiuslibet anni, infra mensem videlicet post tempus unius[1] magistri fabrice, vt predicitur, fuerint assumendi, coram Decano et Capitulo seu duobus canonicis, per Capitulum ad hoc deputandis, plenum et fidelem compotum ac racionem administrationis sue in premissis plenariam in virtute iuramenti sui reddere teneantur. Si vero compotum supradictum vltra dictum mensem cessante impedimento legitimo exhibere distulerint, eorum singuli in premissis delinquentes pro singulis diebus post lapsum temporis supradicti, donec in redditione compoti moram suam purgauerint, tres solidos et quatuor denarios soluant nomine pene in vtilitatem et vsum dicti thesauri et fabrice, sine diminucione qualibet, convertendos. Porro cum ea que ad certum et determinatum vsum largicione sunt destinata fidelium, ad eundem et non alium conseruari debeant et conuerti. Statuimus et ordinamus, quod custodes iocalium et thesauri ac magistri et clerici fabrice supradicte, qui pro tempore erunt, bona quecunque eorum * custodie disposicioni et administracioni commissa ad vsum memoratum fideliter conseruent. Nec Capitulo ecclesie nostre, nec alicui singulari persone de eodem capitulo, vel extra, quicquam de bonis predictis nomine mutui concedant, aut empcionis, seu commodati, aliove titulo vel colore liberent, aut liberari permittant, nisi satisfaccione

¶ Ecce custodes isti tenentur computare.

¶ Pena non computancium.

* f. 53 = p. 117.

[1] "post tempus quo": *Misc. et Stat.*, f. 11b.

locum-tenentes, so much as they have thought sufficient for the repairs to be executed in the aforesaid year, and for the other burdens of whatsoever kind, to be daily supported in respect of the aforesaid delivery between deliverers and receivers, of indentures or the drawing up of other publick documents; concerning which receipts (as above) and all other above-mentioned goods pertaining to the treasure and fabrick of the said Church, the aforesaid Dean and Treasurer or their *locum-tenentes* and the aforesaid Masters, and the Clerk of the Fabrick, in respect of receipts which have been managed and administered by them, according as they affect and concern them and every of them, shall be bound, together or singly, at the end of every year (that is to say, within one month after the time for the reception, as before mentioned, of the Masters of the Fabrick), in the presence of the Dean and Chapter, or two Canons deputed thereto by the Chapter, to make full and faithful reckoning and plenary accompt of their administration in the premises, by virtue of their oath. If, however, despite the absence of lawful impediment, they should have deferred the above-said reckoning beyond the said month, all of them offending in the premisses shall, for every day after the lapse of the above-mentioned time, until they have purged their delay in rendering account, pay by way of penalty three shillings and fourpence, to be converted to the advantage and use of the said Treasure and the Fabrick, without any diminution. Further, seeing that those gifts which have been by the bounty of faithful persons destined to a fixed and determinate use ought to be kept and converted to the same and not another purpose, We decree and ordain that the Keepers of the Jewels and Treasure and Masters and Clerks of the aforesaid Fabrick, for the time being, shall faithfully keep all goods committed to their charge, disposition and administration, for the use mentioned. Nor to the Chapter of our Church, or to any several person of the same Chapter, or outside it, shall they grant any of the aforesaid goods by way of loan, or sale, or accommodation, or under any other title or colour deliver them, or suffer them to be delivered, except on

A.D. 1440. premissa vel sufficienti, id est, fideiussoria, pignoraticia, vel cirografaria caucione recepta, per eos qui liberacionem fecerint antedictam, tali videlicet quam custodes magistri et clericus supradicti suo periculo duxerint acceptandam mutuacionibus pecuniarum domino Regi prestitarum et prestandarum. In quo casu, caucionem quam poterint periculo Decani et Capituli recipiant, duntaxat exceptis de quibus bonis sicut prefertur liberatis ac satisfaccione caucionibusque per eosdem custodes magistros et clericum fabrice receptis, scripture fient indentate premissa omnia et liberacionum et resolucionum faciendarum tempora clare et distincte continentes, quarum vna pars in illius vel illorum qui bona predicta nomine mutui, empcionis, commodati, vel aliter receperit aut receperint, altera vero in custodum, magistrorum, vel clerici predictorum qui liberacionem fecerint antedictam custodia remaneat, in fine cuiuslibet anni, tempore compoti per eosdem reddendi, dictis Decano, Capitulo, canonicisve per ipsos ad hoc deputandos, ostendende et realiter exhibende. ¶ Ceterum vt hec presens ordinacio nostra firmiter, et inviolabiliter obseruetur, adiciendo statuimus, quod omnes et singuli canonici ecclesie nostre supradicte, nunc residenciarij, et in futurum ad residendum in eadem admittendi, tempore admissionum suarum ad residenciam huiusmodi coram Decano et Capitulo de obseruando presentem ordinacionem, quatenus eos et eorum singulos concernunt, Juramentum prestent et exhibeant corporale.

Bishop W. Ayscough, ten years after the publication of the foregoing Statute, was slain by a mob at the time of Jack Cade's rising, in the twelfth year of his episcopate when he had been saying Mass in Edingdon Church of the Bonhommes, 29th June, 1450. He was unpopular, partly because he frequently left his diocese to Irish suffragans. A political song, exulting in the imprisonment of the Duke of Suffolk in February, 1450, ran thus—

> "Now is the tyme of Lent, the fox is in the towre;
> Therefore send him Salisbury to be his confessoure."

The death of "Good Duke Humphrey of Gloucester" in 1447 was attributed to Bishop Ayscough's revealing to Henry VI. a secret learnt from the confessional. The duke's fall was said (in lines "On the Mutability of Fortune") to be—

receipt of the satisfaction premised, or sufficient caution—that is to say, by way of suretyship, pledge, or handwriting—by those who have made the aforesaid delivery; such, namely, as the Keepers, Masters and Clerks above mentioned may at their own risk think should be accepted for loans of money made and to be made to our Lord the King. In which case they are to accept what caution they are able, at the risk of the Dean and Chapter, those goods only excepted concerning which—after delivery as afore rehearsed and satisfaction and caution in each case received by the same Keepers, Masters and Clerks of the Fabrick—written indentures shall be made wherein all the premisses and the dates of making the deliveries and quittances, are clearly and distinctly contained; of which indentures one part shall remain in the keeping of him, or them, who shall have received the aforesaid goods by way of loan, purchase, accommodation, or otherwise, and the other in the custody of the Keepers, Masters, or Clerks aforesaid, who shall have made the aforesaid delivery; the same to be shown and actually exhibited at the end of every year at the time of the reckoning to be made by the same persons to the said Dean, Chapter, or Canons to be deputed by them thereto. Moreover, that this our present ordinance may be firmly and inviolably observed, We decree besides, that all and singular the Canons of our above-mentioned Church, whether now residentiaries or hereafter to be admitted to reside therein, do, at the time of their admission to such residence, before the Dean and Chapter, make and exhibit corporal oath for the observance of the present ordinance, so far as they concern them and every of them.

"Upon a tale made by a bysshop, a bryber,
A wretched pr(i)est as deffe neare as a stoane,
Which he shulde haue harde as a confessor,
And to the kinge he uttered it anone."
Cited by Mr. E. Kite, *Wilts. N. & Q.*, vii. 88.

Even the chained Statute Book, *E.*, contains some rude verses as the first of a set of epitaphs on six Bishops of Salisbury, there entered by a scribe half a century later (*cir.* 1500). It runs thus in the guise of a prophecy or forecast of the cruel manner of his death—

"Cordificis natus: pastor Sarum titulatus;
Auxilio regis: curam capiens tui gregis.
Qui te c(e)cabit: te subdole annichilabit.
Anno bis seno: morieris gutture pleno."

THE VICARS CHORAL AND THE STATUTES OF THEIR COMMON HALL.

21st Dec., 1442.

Vicars Choral.

A considerable portion of the preceding Statutes of 1319–24 concerned the Vicars Choral (see chapters xxviii.–xl.).§ In the reign of Henry IV. (16th Nov., 1409) they received incorporation[1] with licence to choose one of their number to be *procurator vicariorum ecclesie B. Marie Sar.*, and that they should have a *sigillum commune*, and right to hold property and acquire it, the Statute of Mortmain notwithstanding, and to bear the designation of Procurator et Communitas Vicariorum Ecclesie B. Marie Sar.

§ (See pp. 210–257, above.)

But as early as 23rd May, 1336, King Edward III. gave licence[2] for the acquisition of property on behalf of the then Vicars and their successors:—lands, tenements, rents, and advowsons might be procured, so that each Vicar choral might receive the addition of ½*d.* a day (*obolum diurnum*) over and above what he might receive on the distribution of the common fund (*communa ecclesie*), or from any legacy, such as that of Rob. de Kareville the Treasurer, who died 2nd September, 1267, bequeathing ½*d.* a day to each Vicar, in addition

[1] See the *Charter of Incorporation of the Vicars*, printed in full by Hatcher and Benson, *Hist. of Salisbury*, p. 757, where, however, the date "1410" is an error (which Canon Jones followed) for 1409, 16th November, 11° Henry IV.

[2] The date, 23rd May, 10mo Edward III., fell in 1336 (not "1338"). The seal of the Vicars Choral, which bears the inscription, "*Sigillum.* Com*m*une . uic*a* rior*um* . eccl*esi*e . s*a*resbiriens," and which Mr. Malden assigns to the thirteenth century, implies a claim on the part of the Vicars to have had corporate existence for a century and a half before they received a patent from King Henry IV. The seal is figured in Benson and Hatcher's *Salisbury*, at p. xvii., plate i. fig. 11. It is a pointed oval, 2 in. × 1½ in., and represents the Coronation of the B.V. Mary. Treasurer Rob. de Kareville spoke of the "*communitas* Vicariorum" in his will in 1267. (*Sarum Charters*, p. 344.)

to such allowance as they received in the thirteenth century (*Sarum Charters*, 1891, pp. 343–345), besides the liberal dole of half a marc apiece at his funeral, and expressing his desire that they should, as a community, with the approval of the Chapter, be endowed with property of 20 marcs' value from his estate, and should sing a mass daily for his soul. Under the patent of 1336, West Hanney Church, Berks., was appropriated for augmentation of the living of Vicars and choristers in 1352 (Pat. 26 Edw. III. p. 1, m. 1).[1] Soon after their Charter of Incorporation had been issued in 1409, the Procurator and Commonalty of Vicars acquired lands and tenements in New Sarum to the value of 100*s.* per annum, 9th April, 1411. West Hanney, appropriated in 1352, was discharged of the annual payment of that amount (Pat. 11 Hen. IV. p. 1, m. 13) about 1409.[2]

A generation later, in compliance with a petition from the Community of the Vicars choral, the President and Chapter, 10th December, 1442, (*a*) deputed two

[1] In 1352 the Chapter petitioned Pope Clement VI., who granted their request, at Avignon, on 6th September, to issue a faculty to appropriate the Church of "Henney," whereof they had bought the patronage, and where there was an old perpetual Vicar, so that they might carry out the design to increase the 52 Vicars' portions by ½*d.* a day each, and bring the 14 choristers' allowance together to 100*s.* a year. *Register of Papal Petitions*, i. (1896), p. 235, ed. W. H. Bliss.

[2] A patent was granted 16th July, 1392, authorizing the Dean and Chapter to acquire lands and tenements to the value of £20 *per ann.* for the benefit of the Vicars, and the manor of "Stotingwey," a tithing, commonly called Stotton in Upway, Dorset, became their property (Pat. 16 Ric. II. p. 1, m. 23). At the time of the *Valor* (1535) the Rectory farm in Stotyngwey was held by T. Bayley, a layman. Archdeacon Carpenter tells us that a payment of 6*s.* from "The Angel and Stotingway" occurred in the yearly accounts of the Vicars down to 1867 or 1868. They held property also in Broad Windsor (rectory), Laverstock, and Orcheston St. George; tenements in Salisbury; payments from Hyde Abbey (Hants), the Vicar of Bremhill and the Chancellor's prebend of Bricklesworth; and on account of Bishop Ric. Poore's foundation (29th September, 1225) of the Mass of our Lady, £5 6*s.* 8*d.* (*Valor Eccl.*, ii. 84). They had also "stall-wages" and payments from the Prebendaries on account of any Priest, Deacon, or Subdeacon's stall which might have been vacant at the time.

Vicars (J. Wynford and W. Newman) to report on the value of the agistments of Broadwindsor Rectory, in order to put a check upon the usurpations of the Vicar of that place, (*b*) appointed eight Vicars, R. Torry, W. Newman, E. Mañ, H. Notyngham, J. Wynford, T. Scos, J. Baret, and W. Whitmersh, to manage their property along with the Procurator chosen annually by the Vicars, to account to "the two venerable fathers the two Canons chosen by the Chapter" to audit the accounts of the community.

The Vicars had spoken in their petition of frequent disputes among themselves in their common hall and elsewhere, and had expressed a desire that a penalty might be inflicted for any breach of the old laudable custom "that every Vicar, having proper notice to do so, should be present at mattins, and on commemorations of the B. Virgin"—usually on Saturdays—"with an eye to brotherly charity, should meet the others at *le* bason [1] in the midst of the quire, after mattins ended, to treat of all matters of business concerning the said community, and in no other place." [2]

On 21st December, 1442, the Vicars named above appeared before Treasurer Kymer (the Dean's *locum tenens*) and five other Canons, *in domo tesauraric*, and tendered their oaths respecting the aforesaid directions, and desired that the following Statutes of their Community, which were customably observed in their common

[1] It was the Treasurer's duty to find a candle daily at mattins (two at Mass) at the choir-step at the entrance under the screen or rood loft. At Lincoln there was a *peluis argentea* in which a candle burnt *coram altari*, on certain days (*Statutes*, Bradshaw and W., iii. 361), presumably *in choro*.

[2] "Item petunt . . . vestri deuoti oratores, . . . ob reuerenciam Dei et beatissime Virginis Marie, nostre patrone, quatinus iniungatur pena omnibus vicariis ad obseruandum illam antiquam consuetudinem et laudabilem, viz. quod quilibet vicarius, legitime monitus, intersit matutinis, et in medio chori ad *le bason*, matutinis finitis, in commemoracionibus beate Marie, ad communicandum et tractandum de et super omnibus rebus et materiis ad dictam communitatem pertinentibus, et in nullo alio loco, intuitu caritatis." (Supplicatio Vicariorum *Reg. Hutchins*, f. xxvj^{b} = p. 56: December, 1442.)

hall, might be enacted by the authority of the Chapter and duly registered: which was therefore agreed and done.

[3] *Regist. Hutchins*, fo. xxvij = p. 57.

At Bishop Beauchamp's Visitation in September, 1468, it was reported (Art. 29) "quod in Aula Communi Vicariorum Biblia non legitur, sicut antiquitus fieri consueuit." It was replied, 4th February, 1468–9 (Ans. 32), that the supervisors of the Hall had been summoned and the Chapter had charged them "ut ipsi, seu alter eorum, juxta morem antiquum faciant tabulam affigi in Communi Aula, et ordine suo Juniores intabulent bibliam, vel aliquam scripturam sacram legant; et negligens die suo lecturam huiusmodi legere perdet pro quolibet tempore vnum denarium." (*Regist. Machon*, pp. 172, 178.)

The main provisions of the *New Statute* of Bishop Beauchamp, 31st January, 1471–2, for *Admission of Vicars*, have been given above (pp. 212–214, *n.*). The Oath as then prescribed is stated as follows:—

"Admissus autem Vicarius Jurabit Decano, Locum eius Tenenti seu Presidenti Capitulo pro tempore existen̄, Canonicam obedienciam" . . ., &c., as already indicated on pp. 214, 215 (A.D. 1319, with *notes* from the Statute of 1472).

Forma Juramenti Vicariorum Chori Sar' in eorum Admissionibus primitus prestandi.

EGO · *N*· —— Vicarius Juro per hec sancti dei euuangelia per me corporaliter tacta canonicam obedientiam Decano et ipsius Locumtenenti ac cuicumque Presidenti Capitulo, pro tempore existenti; Fidelitatem ecclesie Sar': et quod fideliter acquietabo dominum meum in horis diurnis et nocturnis, et ei fidelis per omnia existam. Statuta, consuetudines et ordinaciones ecclesie, ac Communis Aule, quatenus me concernunt, Ac pacem, tranquillitatem et honorem ecclesie, Capituli et Canonicorum obseruabo, et pro posse meo obseruari procurabo. Sic Deus me adiuuet, et hec sancta Dei ewangelia. (*Regist. Machon*, p. 244; 31 Jan., 1471–2.)

In *Mr. Holmys' Book* (Muniments, Press IV. box L), *cir.* 1526–58, are these curious miscellanies:—

(i.) "To make swete water.

"Yrios, v. drammes; –calamus aromaticus, ij drammes; storax calamitis; clovis (cariofilorum), *to every one a dram*;—muske; beniamin; camfire, a peny weyght. (*Summa solut'*, viij*d.*)—Rosys, spyke, lavender" (pp. 20, 24).

(ii.) "Waxe. Rosen drawith. horysgrese or flecke. dere suet. fenegrene valeryan."

(iii.) "Turpentyne, Rosen, Waxe, Oyle, pyche."

(iv.) "*A banket.* 1549no.

"The fyrst course:—Tarte, bake wardens, apples with byskettes and careways, confettes, shorte cakys, shraped [*i.e.* scraped] chese with sugar, claret wyne with muscadele.

"The secunde coursse:—marmalade (li. x*d.*) with biskettes, suckett (di. li. viij*d.*), grene gynger (vi.℥ xiij*d.*), fyne wafers, claret wyne, muscadell" (p. 23). This last was for a xvith-century *potatio*, or banquet of wine.

ORDINACIONES FACTE PER COMMUNITATEM CHORI.

[Statuta Communis Aule.]

21st December, 1442.

ORDINACIONES facte per procuratores et communitatem vicariorum ecclesie B. Marie Sar., tum pro bono pacis et morum honestate[1] inter eosdem, quam eciam pro bona gubernacione mercanciarum necessariorum et victualium, in eorum Aula communi infra clausum Sar., futuris temporibus conseruande, faciende, ac eciam ministrande.

In Primis ad morum honestatem et pacis tranquillitatem inter vicarios in dicta aula commessantes imposterum conseruandas per dictum procuratorem et communitatem ordinatum esse.

1. (*a*) Quod nullus vicariorum inibi in commensalem immoderate seu inhoneste se gerat, nec verborum incomposicione indiscrete se proferat in loquela, vnde comitiua[2] in aliquo perturbetur; sed omnium morum honestate inibi tractata nullus presumat in alium verbis opprobriosis, seu contumeliosis saltem, insultare. Quod si forsan aliquis reperiatur defectiuus in hac parte, quatuor denarios de bursa propria teneatur.

(*b*) Si aliquis ipsorum eciam in alium manus iniecerit[3] temere violentas, xij. d.

(*c*) Si quis vero inconsultus alium percusserit pugillo, cultello vel alio armorum instrumento invasiuo, vnde sanguis eliciatur, xl. in hac parte soluat denarios, quorum denariorum soluciones et multaciones communi pixidi applicentur, iure lesi semper saluo.

2. Vlterius ordinatum est per eosdem, quod inter commensales communis aule predict' sint duo vicarij

[1] "honestatem": MS. [2] "comitiam": MS. [3] "inieceret": MS.

ORDINANCES MADE BY THE COMMUNITY OF THE CHOIR.

[Statutes of the Common Hall.]

21*st December*, 1442.

ORDINANCES made by the Procurators and Community of Vicars of the Church of B. Mary of Salisbury, for the benefit of peace as well as for seemly behaviour among themselves, as also for the good management of the purchases of necessaries and victuals: To be kept practised and administered for the future in their Common Hall.

Firstly, for keeping seemly behaviour and peace and tranquillity for the future among the Vicars who shall mess together in the said Hall [take note] that it hath been ordered:—

1. (*a*) That no Vicar in the same Hall shall bear himself outrageously or unseemly, nor shall he break out indiscreetly in using language with unchastened words against a comrade, so that the company be disturbed thereby: but observing all seemly behaviour in the said Hall, no one should presume to insult another with opprobrious, or in any case with contumelious words. But if any be found to have been faulty in this point, let him be fined 4*d.* from his own purse.

(*b*) If any of the Vicars shall lay violent hands on another wilfully, 12*d.*

(*c*) But if any do inadvertently smite another with his fist, his knife, or any weapon of offence, so that blood be drawn thereby, let him pay 40*d.* on that account.

The payments and mulcts of these pennies must be applied to the common box; only the rightful claim of the injured shall be in all cases regarded.

2. Furthermore, it is ordered by the same, that two Vicars each year, and from year to year, from the number

1442. 21 Dec. annuatim et de anno in annum communiter electi in dispensatores et superuisores omnium expensarum vtensilium et necessariorum (? mercandisiarum) ac victualium pro stauro ad communas vicariorum dicte communis aule spectantium ad prouidendum et instaurandum in cunctis suis (?) necessariis que ad statum commodum et vtilitatem dicte aule pertinent.

3. Item duo sint senescalli per ordinem electi de quindena in quindenam, qui prouidebunt de pane, seruicia, piscibus, carnibus et alijs victualibus: preterquam instauro per quindenam: et de septimana in septimanam comitiue ibidem commensanti fideliter computabunt, vel saltem se racionem de huiusmodi exhibeant reddituros (?). Et cum contingat aliquem dictorum senescallorum in aula predicta pro solucione panis et seruisie villam adire, quod extunc ordinatum est inter eosdem, quod vnus vicariorum de superuisoribus per annum electis pro saniore testimonio in hac parte habendo transeat cum eodem.

4. Item, quod dicti vicarij supervisores communem pixidem aule predicte in sua habeant et seruent custodia speciali, et quod vnus vicariorum supervisorum habeat clauem, et alter pixidem, sic quod vnus absque socio non transeat ad eandem pro pecunia ministranda.

5. (*a*) Item, quod de omnibus necessariis (?) per eosdem supervisores habitis, expensis, et de communi pecunia receptis, per eosdem ad dictam communam aulam spectan*tibus*, annuatim et in fine anni vicarijs dicte aule commensalibus computabunt.

(*b*) Et dicti dispensatores vicarij aulam, coquinam, et ceteras domos ad communem aulam antedictam spectantes sustentabunt et reparabunt de pecunia pixidis communis. Et eciam omnia vtensilia ad prefatum

of those who are fellow-boarders[1] in the Common Hall, be chosen in common as Dispensers and Supervisors of all expenses, implements, necessaries, merchandise, and victuals for the stores belonging to the commons of the Vicars of the said Common Hall, to provide and supply all their necessary marketings which concern the proper condition, convenience, and efficiency of the said Hall.

3. Also, let there be two Stewards (seneschals) chosen in rotation from one term of fifteen days (fortnight) to another, who shall make provision of bread, beer, fish, meat, and other victuals (over and above what is in the stores) for a fortnight; and let them make a trusty accompt to the company at board therein: or let them at least hold themselves ready to render it. And whensoever it happens that one of the said Stewards in the said Hall goes out to the town to pay for bread and beer, it is ordered among them for the future that one of the Vicars from the Supervisors chosen for the year go about with him, for the sake of having a more satisfactory witness in this matter.

4. Also, that the said Vicars Supervisors have and hold the common box of the said Hall in their special keeping, and that one of the two Vicars Supervisors do keep the key, and the other the box, so that the one may not go to the box to deal with the money without his fellow.

5. (*a*) Also, that year by year, and at the end of the year, they shall account to the Vicars who are fellow-boarders of the same Hall, for all necessaries or marketings purchased by them (the said Supervisors) and for all monies received by them for the Community, and pertaining to the Common Hall.

(*b*) And the said Vicars Dispensers shall maintain and keep in repair, out of the money from the common box, the Hall, the Kitchen, and the other buildings pertaining to the Common Hall aforesaid. Also all implements relating to or appertaining to the said Common

[1] *Comitive ibidem commensanti*: It is difficult to find a term in the English language to represent adequately the words *commensans*, or *commensalis*:—"mess-mate," "commoner," "fellow-commoner," as well as "boarder," have now acquired a connotation very different from that of the condition of the fifteenth-century Vicars Choral, who made the Hall their abode.

1442. 21 Dec. communem aulam spectancia siue pertinencia, que omnia dicti superuisores per indenturam a senioribus dicte comitiue recipient et habebunt, et in fine anni alijs dispensatoribus, vt prefertur, de anno in annum eligendis liberabunt.

† *Reg. Hutchins*, f. xxvii^{b} = p. 58. 6.† Item dicti vicarij prouisores, cum duobus senioribus dictorum commensalium per dictos commensales eisdem assignatis, facient matriculam nouorum senescallorum per quamlibet quindenam in senescallos eligendorum.

7. (*a*) Item ordinatum est per dict*os* procuratorem et communitatem, quod quicunque vicariorum venerint ad communem aulam et fu[er]int ibidem ad pastum duorum dierum, tunc dimidias soluant communas illa septimana, vel transeant ad dietas, que diete pro quolibet die in prandio et in cena extendunt se ad tres denarios. Sed in diebus Martis et Jouis soluant pro qualibet cena duos denarios per dietas.

(*b*) Si vero per quatuor dies venerint integras, soluant communas sicut alij (?) soluere teneantur, vel ad dictas transeant dietas.

8. Item, si qui vicarij, necessitate vrgente, deuillauerint, vel forsan alibi fuerint inuitati, primitus senescallum, vel communem seruientem moneant seu moneri faciant congruo tempore, videlicet antequam pro eius victualibus disponatur; alias pro proximo prandio soluere teneatur.

9. (*a*) Item vicarij qui propter absenciam suorum magistrorum communem aulam frequentauerint diebus superius recitatis, tunc suas soluant communas prout supra declaratur; et ordinacioni predicte se noscant subiacere.

(*b*) Et hoc modo fiet nisi [si *interlin.*] in festis Natalis Domini, Pasch' et Pentecostes, et eciam quando aliquis vicarius sit inuitatus per septimanam ad hospicium alicuius Canonici, quod forsan propter dicti Canonici absenciam contingat ipsum vicarium infra huiusmodi

[1] Tuesdays and Thursdays. At Christ's Hospital, about 1782–9, where, however, they "had three banyan to four meat days in the

Hall: all of which the said Supervisors shall take over and shall receive from the seniors of the said company; and at the end of the year they shall deliver them over to fresh Dispensers, to be chosen as hath been said before from year to year.

6. Also, the said Vicars Provisors, together with two seniors of the said fellow-boarders, appointed by the said fellow-boarders, shall make a roll of new Stewards ready to be chosen as Stewards for a fortnight at a time.

7. (*a*) Also, it is ordered by the Procurator and Community aforesaid, that any of the Vicars who shall come to the Common Hall, and shall have been there at meat for two days, shall thereupon pay half-commons that week, or shall go upon the daily Diets; which Diets each day for dinner and supper run to 3*d*. But on Tuesdays and Thursdays[1] they must pay for each day's Diet at supper, 2*d*.

(*b*) But if they come to Hall for four full days, they must pay their commons like the rest, or else go upon the Diets aforesaid.

8. Also, if any Vicars shall have left town upon a necessary and urgent occasion, or in case they have been invited out elsewhere, they must in the first instance give notice beforehand to the Steward or to the servant of the Community, or shall see that he have notice in proper time, to wit, before provision hath been made for his victuals. Otherwise he must be required to pay for the next dinner.

9. (*a*) Also, those Vicars who shall resort to the Common Hall on account of the absence of their masters on the days named above, must then pay their commons as is declared above.[2] And they must understand that they come under the same order.

(*b*) And let it be so done, except it be on the feasts of Christmas, Easter, and Pentecost, and likewise whensoever any Vicar shall be invited for the week to any Canon's house, because it happens that such Vicar comes

week," Elia recollected the "quite fresh boiled beef on Thursdays . . . and portions (of mutton) on Tuesdays."

[2] See above, No. 7 (*a*).

1442. 21 Dec. septimanam ad predictam communem aulam reuenire et communas vicariales exercere.

10. (*a*) Item ordinatum est quod cum aliqui extranei ad dictam communem aulam et ad communas superuenerint, prandendi vel cenandi causa, communas vicariorum duobus denarijs qualibet septimana, dum ibidem steterint commensales, excedant.

(*b*) Et si contingat aliquem vicarium dicte aule commensalem forsan secum aliquem extraneum introducere seu inuitare ad bibendum de honestate: Ita tamen quod non trahatur excessiue in vsum; huiusmodi potacio absque solucione aliqua eidem libere ministretur. Sed quantum ad extraneos ibidem commensales, preterquam in prandio et in cena, ad introducendum per eosdem, absque solucione nulla potacio fit eis ministranda.

11. Item si aliqui vicarij commensales aule predicte de cetero post ordinaciones suprascriptas factas, et hic inferius faciendas, tenendas et obseruandas, de dicta aula recesserint, et ad communas alias quam in dicta aula se declinauerint (infirmitate seu racionabili causa cessante) si contingat in futuro eosdem ad dictam aulam reuenire, et communis interesse, ad communem pixidem Aule memorate quadraginta denarios soluent indilate.

12. Item quilibet vicarius de nouo in vicarium admissus, cum primo venerit ad communas aule predicte, ad supportandas expensas inibi factas et fiendas, tam in vtensilibus, quam in alijs necessarijs ecclesie que solui contingerent illa septimana pixidi communi soluat supradicte.

Et vt ordinaciones antedicte maiorem vigorem capiant et effectum, Mr Adam Moleyns, ecclesie Cathedralis Sar' Decanus, Edwardus Prentys Precentor, Gilbertus Kymer thesaurarius, J. Symondesburgh', N. Vpton, et ceteri Canonici supradicti suum consensum et assensum prebuerunt in hac parte, et quod in Registro eorundem inactitarentur ad perpetuam rei memoriam.

back to the said Common Hall and is put on Vicar's commons by reason of the said Canon's absence in that week.

10. (*a*) Also it is ordered, that when any strangers come to the said Common Hall, and stay to commons, to dine or sup, they are to have exceedings [1] each week for the time that they are in commons there to the amount of 2*d*.

(*b*) And if it happen that any of the Vicars, being a fellow-boarder of the said Hall, shall bring in a stranger, or shall invite him in seemly sort to drink :—provided only that this do not grow into a custom beyond measure :—such bevers shall be given freely to the stranger without any charge. But as regards strangers who are boarding there introducing [others], unless it be at dinner or supper—no drink is to be served them without payment.

11. Also, if, after the orders afore-written, with those to follow presently, have been made to be observed and kept, any Vicars fellow-boarders of the Hall shall hereafter go away, and (while sickness, or other reasonable causes no longer require it) shall take commons as boarders in some place other than the Hall, and if afterwards they shall return to this Hall, and be again in commons, they shall pay 40*d*. to the common box of the aforesaid Hall without delay.

12. Also, any Vicar, newly admitted a Vicar, shall, on his first coming to commons of the Hall aforesaid, pay to the common box, towards meeting the expenses incurred there, or to be incurred, for implements and other necessaries of the Church, the charges which might happen to fall that week.

And in order that the aforesaid Ordinances may receive greater force and effect, Master Adam Moleyns, Dean of the Cathedral Church of Salisbury, Edward Prentys, Precentor, Gilbert Kymer, Treasurer, John Symondesburgh, Nicholas Upton, and the other Canons aforesaid, did give their consent and assent in this behalf, and [decreed] that these Ordinances should be reduced to acts in their Register for a perpetual remembrance of the matter.

[1] *Or*, "to pay extra." ("Exceedings" will be recognized as an academical term.)

*** *The following ordinances are not translated here, as it is hoped that a volume relating specially to* the Vicars *may hereafter be produced.*

Quod Vicarii non ludant ad pilam.

Die Martis, 22 Aug. 1448 . . . Statutum est per eosdem Decanum et Capitulum, quod nullus vicarius ludet ad pilam[1] infra precinctum Aule communis, sub pena iij*s.* iiij*d.* disposicioni Decani et Capituli applicandorum. (*Registr. Burgh*, f. 8^{b} = p. 18.)

Ordinaciones pro Vicariis Choralibus.

(Burgh. Reg., f. 25^{b} = p. 52.)

Die Veneris x. Octobris A.D. 1449, Coram venerabilibus viris M. Gilberto Kymer, M. Nic. Vpton precentore, M. Andrea Holes Cancellario, M. Jo. Symondesburgh thesaurario, M. Jo. Paslew, M. R. Langryssh et dn̄o Ric. Trove capitulariter in domo capitulari congregatis et capitulum facientibus, Comparuit dns̄ (*blank*). Dale, vicarius choralis Sar. ecclesie et . . . Ordinacionem ostendebat coram dictis decano et capitulo sub sigillo eburneo[a] communi Ecclesie Sar., ac literas confirmatorias dn̄i Cantuariensis et etiam sub plumbo. (*Space left in Register for* 4 *or* 5 *lines.*) Vna cum aliis cedulis et instrumentis quorum tenor sequitur sub hijs verbis :—

[a] (Cf. p. 40, *supra.*)

1. Statutum et ordinatum est quod festum sancti Hugonis olim Lincoln' Episcopi et confessoris cum ix lectionibus, oracione, secreto, postcommunione propriis, et historia de communi vnius confessoris et pontificis sub xv^{mo} Kal. Decembris [Novemb. 17] singulis annis in ecclesia Sar. celebretur.

[See Bp. Mortival's Code, A.D. 1319, c. xxviii., p. 248, *supra.*]

[1] At Bishop Beauchamp's Visitation in 1454, three Vicars (J. Huysson, Ric. Crome and T. Organ) were reprimanded for wearing *sotularibus rostratis, et vestibus non talaribus*, like courtiers, and because "discurrunt *in villam ad* thenisiam *ludentes, et ad tabernas accedentes ibidem sedendo, bibendo et cantando.*" (*Reg. Burgh*, f. 48 = p. 100. Cf. *Reg. Newton*, f. 8.)

[St. Hugh, Bishop of Lincoln, died 16th November, 1200, and was canonized in 1220. His Translation was observed on 6th October at Lincoln, by order in Chapter there in 1280. His "Depositio," fixed for 17th November by the Bull of Honorius III. in 1220, is provided with only 6 lessons *de communi* in the Legenda provided for Exeter by J. de Grandisson in 1337, the 3 proper lessons of the older feast of St. Anianus (and relating to that Bishop of Orleans) intervening between the 1st nocturn and the 3rd. A copy of the Exeter *Ordinale* now in the Parker Library at Corpus has a Kalendar, written perhaps about the end of Grandisson's episcopate (1369), with the entry, "S. Hugonis episcopi ix. lecciones. Et S. Aniani episcopi." Another copy, which is still at Exeter (MS. 3502), and which Canon Dalton shows to have been copied (like the Parker MS.) from Grandisson's original, has the entry in the Kalendar in which is, perhaps, the earlier form, "S. Aniani episcopi . S. Hugonis episcopi . ix. lec." In the last-named MS., though it was transcribed it may be about 20 years after the Parker MS., the Bishop of Orleans still retains priority of mention.

The Sarum Customary of the same period (*cir.* 1390) and an appendix to the Risby, Suffolk, Ordinal (of Sarum Use) 70 or 80 years earlier, includes St. Hugh's Day in the enumeration of those feasts of ix. lessons where a portion of the saint's life was appointed for the third nocturn, so that the usual patristic homily on the Gospel for the day could find no place on such occasions (*Use of Sarum*, i. p. 222). Some of the lessons in the Sarum Breviary, possibly, merited the epithet "uncertain," which Cranmer applied to legends in the Preface to the Prayer-book, and St. Hugh himself in his lifetime counselled a wise reticence regarding miracles alleged. But we miss something whenever the preacher in our churches allows the anniversary of one of God's saints of ancient or modern times to pass by unnoticed, if he be such a one as, in the spirit of Herbert's "Parson Condescending," has the skill to "pare the apple, and give us the clean to feed on."

It was to the credit of the Sarum Chapter, kept so long waiting as they had been for the canonization of St. Osmund (and as they were destined still to be until 1457), and disappointed as they had been both in 1424 and 1441, that they took pains to see that the great saint of Lincoln was duly remembered. The Vicars of Sarum, however, demurred in 1449:]

(℟. Ad primum articulum quo constituitur festum S. Hugonis celebrari, &c., *dicendum* quod ipso die iuxta vsum Ecclesie actenus † approbatam † ad quam astricti † (*sic.*) sumus iuramento, solet ecclesia predicta celebrare festum S. Aniani confessoris Episcopi de quo tres lecciones fieri habent. Et si de S. Hugone celebretur, fieret de S. Aniano memoria et medie lecciones: nulla inueniuntur Responsoria nec Antiphone, nisi bis fuerint eadem repetenda.[1])

[1] The replies, observations, and requests presented by the Vicars in response to the Statutes and Ordinances of October, 1449, are entered on p. 53 of the Burgh Register of Chapter Acts. We print them here

[See Bp. Mortival's Statutes, A.D. 1319, cap. xxxviii., p. 248, *supra*.]

Art. 2. ITEM quod in laudem illius beate peccatricis Marie videlicet Magdalene in festiuitate sua tres ympni illi plurimum congruentes et quorum hec sunt principia *Collaudemus*, etc., cum solempnitate debita singulis annis decantentur in Ecclesia predicta.

[" Collaudemus Magdalene " is found for evensong of July 21st-22nd, in *Brev. Sar.*, iii. 512. The hymns " Estimauit ortolanum " (cf. S. John xx. 15), at mattins, and " O Maria, noli flere," at lauds (*id.*, 514, 522) are really parts 2 and 3 of the same composition. Their use had been prescribed for the Cathedral by Roger de Mortival's 38th statute in 1319 (p. 248, above). Even when the Cologne printer, Quentel, printed the Sarum hymns with an " exposition " as a school-book, for use in Cathedral grammar schools, etc., in 1496, he evidently had got hold of an old collection which took no account of such " modern " feasts as Corpus Christi, the Transfiguration, Name of Jesus, Visitation, and St. Anne, and which for some reason also omitted the hymns for Whit-Sunday, and the proper hymn for St. Vincent at lauds, as well as these three for St. Mary Magdalene. The London printer, Ric. Pynson, had accordingly to produce a supplement to supply this deficiency. (*Brev. Sar.*, iii. p. cxiv. List of hymns, by H. Bradshaw.) When in 1518 they undertook to produce the Latin hymns of Sarum Use *with music* from the printing-press at Rouen, these hymns were placed in their true order. There may have been some difficulty in getting books with the additional hymns in them. The Vicars (as they acknowledged) were bound by their profession (p. 214) to know certain services, but the only book specifically named in their oath was the Psalter, on which see Mr. H. Littlehales' descriptions, *Old Service Books* (Antiquary's Library), pp. 108-116. The Vicars, whose Answers were twice cited by Dale (when pleading against sentence of dismissal) in 1449, had MSS. only, and though they were not required to learn any new tunes for the hymns, they objected to learning fresh words :—]

(℟. Ad secundum [articulum] vbi agitur de ympnis B. Marie Magdalene, *dicendum* quod ad certum seruicium in libris ecclesie contentum ad quorum scienciam professi sumus Ad † nouos ympnos nec ad alia de nouo imponenda debemus astringi.)

† (*sic.*)

3. *Item* quod vicarij intersint horis diurnis sicut et nocturnis sub pena amissionis commune, etc.

(℟. Ad tercium quo cauetur quod omnes vicarij, etc., *dicendum* quod iuxta ipsorum Decani et Capituli cartam Vicarijs factam obseruetur et factum quod confirmatum est

in closer juxtaposition with the articles of the Statutes and Ordinances to which they relate.

per curiam romanam et per tocius Anglie Cantuarien̄ primatem. Quo ad obolum diurnum, d*icendum* quod in eo obseruetur voluntas testator*is*.) (The testator was Ri. Kareville, 1267; see p. 216, above.)

4. *Item* quod, postquam ingressi fuerint chorum, ante finitum officium non exeant nisi ex euidenti et racionabili causa.

(℟. Ad quartum quo cauetur de non exeundo, &c. d*icendum* quod acquiescendum est.)

5. *Item* quod stalla* in choro eleuentur et deprimantur sine strepitu.

(℟. Ad quintum quo cauetur de stallorum eleuacione et depressione d*icendum* similiter.)

* *corr.* from "stalle," which was originally written. Cf. pp. 224–6.

6. *Item* quod vicarius iuratus acquietare † dn̄m suum non estimet hoc facere posse per alium vicarium absque incursu periurij cum idem alius ad similia teneatur nisi in casu necessitatis, etc.

† Cf. p. 222.

(℟. Ad sextum vbi cauetur quod vicarius per se acquietabit dn̄m suum,‡ d*icendum*, iuxta intabulaciones canonici intabulantur pro missis in sacerdocio, diaconi ad euangeli*um*, Subdiaconi ad epistolam, et frequenter accidit quod chori regimen aliquibus eorum imponitur per tabulam, vbi non potest sufficere canonicus vel eius vicarius ad ambo, ac etiam, si duplex festum contigerit, in tabula regiminis chori quod contingat diaconum vel subdiaconum opportebit ipso vsu approbato per aliquem de superiori gradu suppleri ad quod non tenentur ipsi de superiori gradu nisi mutue vicissitudinis obtentu.)

‡ For the Vicar Choral's promise to "acquit his master" the Prebendary, see p. 323 *n.* And for Priest, Deacon and Subdeacon stalls, pp. 116, 117, 156–159.

7. *Item* quod capas gerant honestas et quod almicie eorum vltra zonam non extendantur, que etiam non minuto vario aut griseo sed pellibus agninis vel caprinis sub panno nigro duplicentur.§

§ Cf. p. 228.

(℟. Ad septimum, de habitu chori, supplicant vicarij quod possunt ‖ vti habitu quem modo gerunt sine vestra offensa quatenus vti consueuerunt ab antiquo.)

‖ (*sic.*)

8. *Item* quod vicarij vestem superiorem gerant

† Cf. p. 228.

dissimilem militari,† anterius vel posterius non birratam, maxime in sacerdotio constituti; et capucium dum in mensa fuerint canonicorum gerant circa collum, sacerdotes al*ias* non admittendi, etc.

(℟. Ad octauum vbi cauetur de habitu in mensa, et ad tercium decimum vbi cauetur de modo inuitandi ad prandium, d*icendum* quod in habitu quo volunt inuitatum vti et modo inuitandi faciunt canonici quod eorum placuerit voluntati.

9. *Item* quod superpellicia gerant non curiose consuta nec plicata, etc.

10. *Item* vicarij de secunda forma non utantur almucijs.

(℟. Ad nonum et decimum adquiescunt omnes vicarij, nisi cum vicar*io* de ij[a] forma possit aliter dispensari.)

11. *Item* quod mulieres, quantumcunque propinque, cum eisdem non morentur in domo.‡

‡ Cf. p. 232.

(℟. Ad vndecimum, de mulieribus non hospitandis fiat pacient*er*, si placet, cum propinquis non suspectis et in senio constitutis.)

12. *Item* quod vicarius primo et secundo conuictus super incontinencia stet in inferiori gradu vltimus; et tercio conuictus, eo ipso, absque iuris solempnitate, vicaria sua sit priuatus, nullum ad ipsam quouis tempore habiturus regressum.

(℟. Ad duodecimum, vbi cauetur de vicario priuando, supplicant vicarij quod delinquentes puniantur secundum tenorem consuetudinarij antiquitus approbati in titulo *de pena delinquentium* [cf. p. 32; *Use of Sarum*, i. 12].)

13. *Item* quod vicarius alium vicarium ad prandium domini sui alibi quam in choro ad matutinas hora consueta non inuitet.§

(§ Cf. Mortival's Code, c. xxxiii., p. 236, *supra*.)

(℟. Ad tercium decimum supra [sub no. 8] est responsum.)

14. *Item* vicarij extra clausum non sint in com-

muna ad mensam cuiuscunque, nec quempiam alium quam vicarium ad communam in domo sua per quamuis ebdomedam (*sic*) admittant; sed nec hospitentur aliquos extraneos in tantum moraturos quod familiares potius quam hospites dici possint.

(℟. Ad quartumdecimum, vbi cauetur de vicarijs non posituris communam extra clausum, honeste ordinatum est; sed ad alios ad mensam admittendos supplicant vicarij quod aliqui eorum possint honestas personas et bone conuersacionis de licencia presidentis aliq*uamdiu* hospitare.)

15. *Item* quod vicarij absentes, aliter quam pro negocijs ecclesie et ex iniuncto presidentis et capituli, nichil percipiant de communa.

(℟. Ad quintumdecimum et alios articulos d*icendum* quod statutis ab antiquo approbatis et vsitatis, que Deum et honorem Ecclesie contingunt, iuxta nostrarum virium facultates adquiescemus, sed humiliter et deuote, sicut tenemur, non intendentes nouis et inusitatis obedire teneri.)

§ Directing memorandum in margin of the lower part of p. 53.

§ Hic scribenda est carta per decanum Ricardum et capitulum vicarijs concessa. (*The rest of* p. 53 *in the* Burgh Register *is, however, still left blank.*)

[Ri. Poore was Dean in 1198–1215; Ric. Leyet, 1446–49.]

Die dominica xxvj^to^ Januarij Anno Domini 1448 [1449] moriebatur Magister Ricardus Leyot, decanus ecclesie Cathedralis Sar., prebendarius ecclesie prebendalis de Chalk, ex collacione abbatisse et monialium monasterij Wilton, Rector de Boston et quondam de Rynggewode. Eadem die hora vesperarum Magister Nicholaus Upton, *precentor et presidens natus* capitulo Sar. sequestrauit et sequestrari mandauit omnia bona mobilia dicti magistri Ricardi Leyot infra clausum Sar. et extra in quibuscunque locis decanali dignitate annexis. (*Regist. Burgh*, p. 55.)

Statutum [*optimum*[1]] *quod nullum officium temporale concedatur nisi vacauerit.*

Regist. Burgh, f. 8 = p. 19. (1st December, 1449; 18th May, 1459.)

Statutum est per Decanum et Capitulum Sar. retroactis temporibus, quod nullum officium temporale et perpetuum alicuius officiarij in Ecclesia Sar. officio pleno et non vacante debet quouismodo ad instanciam cuiuscunque tribui, concedi seu promitti, antequam vacet, ne desiderare quis mortem proximi videatur in cuius locum et officium se crediderit successurum.

Hoc statutum de nouo per decanum et capitulum primo die Decembris A.D. 1449 est confirmatum; et promiserunt se idem perpetuo seruaturos presentibus omnibus qui interfuerunt capitulo die lune, primo Decembris, 1449.[2]

Item 18° Maij A.D. 1459 Ric. Beauchamp Episc., Gill. Kymer Decanus, Whitby, Fidyon Nessyngwyke, Ingram, Michaele Mychell' et Crowton capitulariter congregatis et capitulum facientes, etc., confirmauit dictum statutum, et decreuit pro se et successoribus vna cum consensu confratrum suorum pro statuto per ipsos et suos successores imperpetuum inuiolabiliter obseruando.

[1] "Optimum" added in a XVIIth-century hand.

[2] The registration of this (older) statute was apparently occasioned by a letter (in English) from King Henry VI., desiring the Dean and Chapter to appoint "oure Welbeloued Arnolde Astley, Maistre of oure Queresteres withynne oure College Roial of our Lady of Eton," to the office of "Portership of Saresbury" (expected to be then soon vacant), 16th November, 1449. To this the Dean and Chapter returned a verbal answer (1st December, 1449) by the messenger, a yeoman of the Crown, that they were not free to do so. (*Reg. Burgh*, p. 20.)

PSALMI COTIDIE DICENDI PER CANONICOS ISTIUS ECCLESIE CATHEDRALIS SAR.: PRETEXTU AC RACIONE PREBENDARUM SUARUM, &c.tra

(From the Cathedral *Processionale*, *cir.* 1450 (MS. 148, *fo.* 1).)

Item: Qui Canonici quibus terminis in ecclesia Sar' teneantur personaliter residere. (From *Liber Evidentiarum Capituli*, f. 461.)

Prebenda.	Psalmi dicendi.	Pars chori et Residentia.	(Taxacio A.D. 1226.) m. = 13*s.* 4*d.*
[*a.* Sacerdotes:]			
1. Prima pars Altaris [*olim* prebenda Episcopi.]	Ps. Beatus vir. Ps. Quare fremuerunt. Ps. Domine quid. Ps. Cum inuocarem. Ps. Verba mea auribus, &c. Pss. i.–v.	C. 4.	(xvi. m.)
2. Poterne [Prebenda Episcopi.]	Ps. Domine ne in furore. Ps. Domine deus meus. Ps. Domine, dominus noster. vi.–viii.	D. 1.[1]	(l. m.)
3. Brickelesworth [Prebenda Cancellarii.]	Ps. Confitebor tibi.[2] ix. et x.	D. 4.	(xxv. m.)
4. Ramesbury	Ps. In Domino confido. Ps. Saluum me fac. Ps. Vsque quo, Domine. Ps. Dixit insipiens. xi.–xiv.	C. 3.	(xl. m.)
5. Cermynistre[3] ["golden prebend."]	Ps. Domine, quis habitabit. Ps. Conserua. Ps. Exaudi. xv.–xvii.	D. 1.	(lxxx. m.)
6. Calna [Prebenda Thesaurarii.]	Ps. Diligam te. xviii.	C. 1.	(lx. m.)

Explanation of the third column of this Table:—

[1] The initial D. is put here to mark those prebends which were *ex parte Decani* in 1300; or earlier. Similarly,

C. = *ex parte Cantoris*. The numerals 1—4, in the right-hand margin of this third column, show in which quarter of the capitular year each prebendary was called into residence: the quarters being

1. October, November, December. 2. January, February, March.
3. April, May, June. 4. July, August, September.

[2] A xviiith-century hand has inserted "*Vt quid Domine*," which is the beginning of a fresh Psalm (x.) in the Hebrew and English.

[3] We are tempted to conjecture that, as Cherminster Bere was the most valuable prebend, it was held by the Precentor when this list was made. As a matter of fact, a Precentor of Sarum held it *cir.* 1320. (See also s. a. 1411.) The Statute is recited in 1324, so this seems not impossible, but it certainly did not always go with this Dignity.

Prebenda.	Psalmi dicendi.	Pars chori et Residentia.	(Taxacio A.D. 1226.)
7. Hectredebia [Prebenda Decani.]	Ps. Celi enarrant. Ps. Exaudiat. Ps. Domine, in virtute tua. xix. –xxi.	D. 1.	(lx. m.)
8. Graham (1) [*i.e.* Grantham australis.]	Ps. Deus, Deus meus, respice. Ps. Dominus regit me. Ps. Domini est terra. xxii.–xxiv.	D. 2.	(l. m.)
9. Graham (2) [Grantham borealis.]	Ps. Ad te Domine leuaui. Ps. Judica me, Domine. Ps. Dominus illuminacio. Ps. Ad te, Domine, clamaui. xxv.–xxviii.	C. 2.	(l. m.)
10. Bedewynd	Ps. Afferte Domino. Ps. Exaltabo. Ps. In te, Domine, speraui, non, &c. xxix.–xxxi.	C. 1.	(l. m.)
11. Wrda [Highworth.][1]	Ps. Beati quorum. Ps. Exultate iusti. Ps. Benedicam. xxxii.–xxxiv.	C. 2.	(lx. m.)
12. Blebiria [in Episcopatu.]	Ps. Iudica, Domine, nocentes. Ps. Dixit iniustus. xxxv., xxxvi.	D. 2.	(xl. m.)
13. Schipton	Ps. Noli emulari. Ps. Domine, ne in furore. Ps. Dixi, custodiam. xxxvii.–xxxix.	C. 2.	(xxv. m.)
14. Bectona[2]	Ps. Expectans. Ps. Beatus qui. Ps. Quemadmodum. Ps. Iudica. xl. –xliii.	C. 3.	(xxv. m.)
15. Shireboñe	Ps. Deus, auribus. Ps. Eructauit. Ps. Deus, noster refugium. Ps. Omnes gentes. Ps. Magnus Dominus. xliv.–xlviii.	C. 3.	(lx. m.)
16. Strattona	Ps. Audite hec. Ps. Deus Deorum. Ps. Miserere .j. xlix.–li.	C. 4.	(xii. m.)
17. Hortune	Ps. Quid gloriaris. Ps. Dixit insipiens. Ps. Deus, in nomine tuo. Ps. Exaudi, Deus, orationem meam, ne. lii.–lv.	D. 3.	(xx. m.)
18. Chesyngberia [Chute.]	Ps. Miserere mei, Deus, (ij.) [quoniam con]. Ps. Miserere mei, Deus, (iij.) [miserere mei, quoniam in te]. Ps. Si vere vtique. Ps. Eripe me. lvi.–lix.	D. 3.	(xvi. m.)
[*b.* Diaconi:] 19. Begmynstra S. Marie (prima).	Ps. Deus, repul. Ps. Exaudi Deus, Deus meus. Ps. Nonne Deo subiecta. Ps. Deus, Deus, meus. lx. –lxiii.	D. 2.	(xvi. m.)

[1] In 1226 the Precentor held No. 11, the prebend of Highworth ("W'rda").
[2] Bitton, apparently known in 1552 as "the stall called *Expectans*" (see p. 343 *n.*).

Prebenda.	Psalmi dicendi.	Pars chori et Residentia.	(Taxacio A.D. 1226.)
20. Begmynstra Petri (2ª.)	Ps. Exaudi, Deus, orationem meam. Ps. Te decet. Ps. Jubilate Deo. lxiv.–lxvi.	D. 1.	.....
21. Bissopeston	Ps. Deus misereatur. Ps. Exurgat Deus. lxvii. et lxviii.	D. 4.	(xx. m.)
22. Husseburna	Ps. Saluum me fac. lxix.	C. 2.	(lx. m.)
23. Nud'erauena	Ps. Deus, in adiutorium. Ps. In te, Domine, speraui. Ps. Deus, iudicium tuum regi da. lxx.–lxxii.	D. 3.	(xx. m.)
24. Netherb'ia [Netherbiora in Ecclesia.]	Ps. Quam bonus. Ps. Vt quid, Deus. lxxiii. et lxxiv.		(lxx. m.)
25. Slepe [Slape]	Ps. Confitebimur. Ps. Notus in Judea. Ps. Voce mea. lxxv.–lxxvii.	C. 3.	(xx. m.)
26. Nud'b'ia in terra (alias Herberti)	Ps. Attendite. lxxviii.	D. 4.	(xv. m.)
27. Aweltona [1] (boriall)	Ps. Deus, venerunt gentes. Ps Qui regis Israel. Ps. Exultate Deo. Ps. Deus stetit in sinagoga. lxxix.–lxxxii.	D. 3.	(viii. m.)
28. Aweltona Pancracij [australis]	Ps. Deus, quis similis erit tibi? Ps. Quam dilecta. Ps. Benedixisti, Domine. lxxxiii.–lxxxv.	D. 1.	(viii. m.)
29. Etemynstra mag' Ranñ	Ps. Inclina, Domine, aurem. Ps. Fundamenta. Ps. Domine, Deus salutis. lxxxvi.–lxxxviii.	D. 4.	(viii. m.)
30. Grymstañ	Ps. Misericordias Domini. lxxxix.	D. 1.	(xxv. m.)
31. Durneford'	Ps. Domine, refugium. Ps. Qui habitat. Ps. Bonum est confiteri. Ps. Dominus regnavit, decorem. xc.–xciii.	C. 2.	(xvi. m.)
32. Writelestona	Ps. Deus vltionum. Ps. Venite. Ps. Cantate .j. Ps. Dominus regnauit, exultet. xciv.–xcvii.	C. 4.	(xxx. m.)
33. Wyuelesford'	Ps. Cantate .ij. Ps. Dominus regnavit. Ps. Iubilate. Ps. Misericordiam. Ps. Domine, exaudi. xcviii.–cii.	D. 3.	(xx. m.)

[1] Mr. Rich Jones has apparently confused the two Aultons and their Psalms, Nos. 27, 28, in *Fasti*, p. 201. He gives also the wrong title to the list; and (on p. 199) the number of the MS. (148) is misprinted.

Prebenda.	Psalmi dicendi.	Pars chori et Residentia.	(Taxacio A.D. 1226.)
34. Rotesfen	Ps. Benedic. j. Ps. Benedic. ij. Pss. ciii. et civ.	C. 1.	(viii. m.)
[*c.* Subdiaconi:]			
35. Cumba	Ps. Confitemini .j. Ps. cv.	C. 2.	(xx. m.)
36. Rotecamp	Ps. Confitemini .ij. Ps. cvi.	D. 2.	(x. m.)
37 Etemenistra	Ps. Confitemini .iij. Ps. cvii.	C. 4.	(vij. m.)
38. Etesburia	Ps. Paratum cor. Ps. Deus, laudem. cviii. et cix.	D. 4.	(v. m.)
39. Axeforda	Ps. Dixit Dominus. Ps. Confitebor. Ps. Beatus vir. Ps. Laudate pueri. Ps. In exitu [*et* Non nobis]. cx.–cxv.	C. 2.	(iij. m.)
40. Warmenistra	Ps. Dilexi. Ps. Credidi propter. Ps. Laudate Dominum omnes gentes. Ps. Confitemini. cxvi.–cxviii.	C. 3.	(v. m.)
*41. Stretford'	Ps. Beati immaculati *vsque* Memor esto verbi.[1] cxix. 1–48.	C. 3.	(iiij. m.)
42. Prestona	Ps. Memor esto, &c. *vsque* Mirabilia.[2] cxix. 49–128.	C. 4.	(xxiiij. m.)
43.[3] Bemynystre (? *Diaconus*)	Ps. Mirabilia *vsque* Letatus sum.[1] cxix. 129–176; cxx. et cxxi.	D. 4.	(xx. m.)
44. Teyntona [? *Sacerdos*]	Ps. Letatus. Ps. Ad te leuaui. Ps. Nisi quia Dominus. Ps. Qui confidunt. Ps. In conuertendo. Ps. Nisi Dominus edificauerit. Ps. Beati omnes qui timent. Ps. Sepe expugnauerunt. Ps. De profundis. Ps. Domine, non est exaltatum cor meum. cxxii.–cxxxi.	C. 1.	(lxxx. m.)
45. Toryntona [Torleton] (? *Diaconus*)	Ps. Memento. Ps. Ecce, quam bonum. Ps. Ecce nunc. Ps. Laudate nomen Domini. Ps. Confitemini Domino quoniam bonus. Ps. Super flumina Babilonis. cxxxii.–cxxxvii.	D. 1.	(xij. m.)

* fo. 1^{b}, MS. 148.

[1] *i.e.* to *Legem pone* and *Et veniat*, inclusive.

[2] *i.e.* to *Iniquos* and *Feci judicium*, inclusive.

[3] Nos. 43–45. The prebendaries of Bedminster and Redcliffe, Teynton and Torington (Torleton, Torlington, or Tolleton) were respectively deacon, priest, and deacon. Why they are placed here among the *Subdeacons* I cannot say. The Psalms which they undertake are cxviii. (cxix.) verses 129–176, cxix.–cxxxvi. (= cxx.–cxxxvii.). I do not find Beyminster Ecclesia in the list. The prebend is Decani, diaconus, residing in the second quarter of the capitular year, like Beyminster prima. It is called "Netherbury in ecclesia." The prebend of Teynton was annexed to the Precentorship at least about 1236–1270. (See Jones, *Fasti*, p. 224.)

[4] Apparently, exclusive of Ps. *Laetatus*, cxxi.

Prebenda.	Psalmi dicendi.	Pars chori et Residentia.	(Taxacio A.D. 1226.)
46. Media pars principalis Altaris [minor pars]	Ps. Confitebor tibi. Ps. Domine, probasti me. Ps. Eripe me, Domine. Ps. Domine, clamaui. Ps. Voce mea. cxxxviii.–cxlii.	C. 2.	(iij. m.)
47. Ferendona	Ps. Domine exaudi .ij. Ps. Benedictus. Ps. Exaltabo. Ps. Lauda, anima mea. cxliii.–cxlvi.	C. 1.	(xxxij. m.)
48. Cerdestok [Chardstock]	Ps. Laudate Dominum, quoniam bonus. Ps. Lauda Jerusalem Dominum. Ps. Laudate Dominum de celis. Ps. Cantate Domino canticum nouum. cxlvii.–cxlix.	D. 1.	(xxiiij. m.)
49. Lym(e)	Ps. Laudate Dominum in sanctis eius. cl., *cum* Letania.	D. 1.	(xxxij. m.
[*d.* Abbates, Sacerdotes:]			
50. Vphaueñ (S. Wandragesil)	Ps. Confitebor. Ps. Ego dixi. Ps. Exultauit cor.[1]	C. 4.	(xx. m.)
51. Lodre(s) (S. Mary Montesberg)	Ps. Cantemus Domino. Ps. Domine, audiui.[2]	C. 3.	(xx. m.)
52. Okeburne (Bec Herlewyn)	Ps. Audite celi que loquar, &c.[3]	D. 1.	(lxxx. m.)
	Summa totalis taxacionis omnium prebendarum Sar'.		1520 marce
	Decima.		152 marce

It is worth noting that in the list of Canons of 1226, printed by Rich Jones in *Fasti*, p. 192, the first thirty-nine names, with hardly an exception, are in the grade of Holy Orders, 21 priests (Grimstone being out of place), 12 deacons (Yetminster secunda, put next to the other Yetminster, out of its grade) and 5 subdeacons. For the rest, some may have been "canons of the second form."

[1] These three "psalms," assigned for the Abbat of St. Wandragesil, are the Old Testament Canticles of Esaias, Hezekiah, and Hannah (*Isai.* xii. and xxxviii. 10, and 1 *Sam.* ii.).

[2] The "psalms" of the Abbat of St. Mary Montesberg, are the Song of Moses and the Song of Habakkuk (*Exod.* xv. and *Habak.* iii.).

[3] The "psalm" assigned to the Abbat of Bec was the Song of Moses (*Deut.* xxxii.).

In the account of the installation of J. Goodman as first prebendary of the newly created prebend of Winterbourne Earls (in place of Rotesfen, No. 34), as recorded in Reg. *Holte*, f. 32 = p. 63, it is stated that on 30th June, 1552, Mr. Benet (as *locum tenens*) and Mr. Chancellor Parry installed him "*in stallum ex parte dñi precentoris, quod dicitur* 'Expectans.'" This, presumably, was Bitton stall, No. 14. (See Nos. 16-20 and 50, in the Table of Stalls on p. 117, *supra*.)

Statutum Reuerendi in Christo Patris et Domini Thome (Langton) permissione divina Sarum Episcopi, ad maximam ecclesie sue Cathedralis vtilitatem editum, pro quo preces Christi Fidelium promeruit et piam memoriam in Futurum.

STATUTUM DE CAPIS.

[Miscell. et Statuta (MS. 189), f. 8^{b}.][1]

A.D. 1490. THOMAS permissione diuina, Sarum Episcopus, omnibus infrascriptum statutum inspecturis aut audituris, salutem in Domino sempiternam;—

Ad noticiam omnium et singulorum, maxime tamen eorum quorum in hac parte vertitur interesse, deducimus et deduci volumus per presentes, quod vocatis legittime primo de jure vocandis omnibus et singulis, dignitates, archidiaconatus, canonicatus et prebendas in ecclesia nostra cathedrali Sar' habentibus, pro convocatione quadam generali in eadem ad vtilitatem dicte ecclesie, xxix^{o} die mensis Marcij Anno Domini Mccccxc debite celebranda. Quia tamen tunc personaliter interesse non potuimus, Regiis ac Regni negocijs multipliciter impediti, eadem propterea convocatio in et vsque xix^{m} diem mensis Aprilis anno quo supra, prorogata fuit et continuata. Quo quidem termino adueniente, presentibus Nobis in domo capitulari dicte ecclesie nostre cathedralis Sarum, ac egregio viro Edwardo Chayne, vtriusque juris doctoris, dicte ecclesie nostre Decano, necnon venerabilibus viris infrascriptis, Johanne Doget, eiusdem ecclesie Cancellario, Ricardo Whitbye, in eadem * ecclesia Thesaurario, canonicisque ac prebendariis alijs eiusdem ecclesie infrascriptis,—Laurentio Cokkes de Grymston et Yatmystr, Henrico Sutton de Chessynburye et Chute, Willielmo Russell de Wyllesford, Willielmo Gyan de Thorleton, Johanne Bostokk, minoris partis

Meeting adjourned from 29th March to 19th Apr. 1490.

* *Misc.* f. 9.

[1] The volume of the *Chapter Acts* themselves (known to Bishop Seth Ward as "Tom. 19") for A.D. 1475–97, having been for some years lost, we have recourse here to Dean Davyson's Miscellaneous Book.

A Statute of the Reverend Father in Christ and Lord Thomas [Langton], by Divine permission Bishop of Salisbury, set forth for the very great benefit of his Cathedral Church, for the which he hath deserved the prayers of the faithful servants of Christ and pious memory for time to come.

STATUTE CONCERNING COPES, A.D. 1490.

THOMAS, by Divine permission Bishop of Salisbury, to them that shall see or hear the under-written statute, everlasting salvation in the Lord:—

For the information of all and singular, but especially of those whom it may chance to be concerned in this behalf, We notify, and our pleasure is it be notified by these presents, that all and singular having first been lawfully summoned who ought rightly to be summoned, holding dignities, archdeaconries, canonries. and prebends in our Cathedral Church, for a certain general Convocation to be assembled in the same to the advantage of the said Church, on the nine and twentieth day of March, in the year of our Lord one thousand four hundred and ninety: yet, notwithstanding, forasmuch as We were unable to be then personally present, being many ways hindered by the affairs of the King and of the Realm, for that reason the Convocation was prorogued and continued to and until the nineteenth day of April in the year above-mentioned. The which term, indeed, now drawing near, there being present in the Chapter House of our said Cathedral Church of Sarum Ourselves, and also the worshipful Edward Cheyne, Doctor of Civil and Canon Laws, Dean of our said Church, as well as the venerable persons under-written, viz. John Doget, Chancellor of the same Church, Richard Whitbye, Treasurer in the same Church, and other under-written Canons and Prebendaries of the same Church: to wit, Lawrence Cokks of Grymston and Yatminster, Henry Sutton of Chessingburye and Chute, William Russell of Wyllesford, William Gyan of Thorleton, John Bostokk, Prebendary of the lesser part of the

19th April, 1490.

A.D. 1490. altaris, Edwardo Wylobye de Graham Boreall', Radulpho Hethecott de Faryngdon, Johanne Peyrson de Netherhavyn, Georgio Hardegyll de Alton Pancracij, Willielmo Elyott de Byschopston, Roberto Daye de Grantham Australl', per se ibidem existentibus, alijs quoque, prout inferius nominantur, Christofero Vrsewyke, Archidiacono Wyltes ac prebendario de Bedwyn, Edmundo Chaterton, Sar*um* archidiacono ac prebendario de Stratforde, Johanne Arendell de Bemystr' prima, Leonardo Saye, et reliquis omnibus, per procuratores suos ad hoc sufficienter deputatos, prout in procuratorijs eorundem apud acta remanentibus, ad que Nos referrimus et hic pro incertis haberi volumus, tunc ibidem comparentibus, et majorem partem totius Capituli facientibus:—Statutum, ordinatum ac decretum est Auctoritate nostra pontificali ac omnium et singulorum per se aut suos procuratores sic, ut premittitur, tunc comparencium, prout in articulis inferius specificatis plenius est expressum:—

In primis, Nos, Thomas, permissione diuina Sar*um* Episcopus antedictus, de communi concensu et voluntate Decani antedicti, Archidiaconorum, et Canonicorum, tam residencium quam non Residencium, in domo Capitulari congregatorum, et aut per se aut suos sufficientes [procuratores] ad hoc deputatos comparentium ac maiorem partem tocius Capituli facientium, Volumus et concedimus pro Nobis ac successoribus nostris, atque sic tenore presentium statuimus et ordinamus, quod Successores nostri Episcopi quicunque in ecclesia nostra Cathedrali predicta pro tempore existentes, inffra tridui spacium a tempore consecrationis eorundem continue numerandum dabunt aut dari facient, et eorum quilibet dabit aut dari faciet, aut xx. libras aut vnam Capam sericam dignitati et honori suis congruam, non tamen minoris valoris quam xx. libr. sterlingorum ad honorem Dei, beate Marie Virginis, sancti quoque Osmundi ac sanctorum omnium, quandocunque decet et expedit, in dicta nostra ecclesia honorabiliter vtendam, et ad manus Cancellarij ecclesie predicte si presens fuerit, alioquin Thesaurarij si resideat, aut, hijs absentibus, ad manus alicuius Canonici in dicta ecclesia residentis ad hoc Decani et Capituli iudicio specialiter deputandi. Et

altar, Edward Wylobye of North Grantham, Ralph Hethe, cott of Faringdon, John Peynson of Netheravon, George Hardegill of Alton St. Pancras, William Elyott of Byshopston, Robert Daye of South Grantham, being present as their own representatives; also others, as they are named below, viz. Christopher Ursewyke, Archdeacon of Wilts and Prebendary of Stratford, John Arundell of Beminster prima, Leonard Saye, and all the rest, there and then appearing by their proctors sufficiently deputed hereunto, as stated in their proxies which are deposited with the minutes, to which We refer, and which in the present instance We resolve to treat as doubtful, and forming a majority of the whole Chapter—It hath been ordained and decreed by our pontifical authority and by the authority of all and singular, by themselves or their proctors, as aforesaid then appearing, according as is more fully expressed in the articles specified below:—

Imprimis. We, the aforesaid THOMAS, by Divine permission Bishop of Sarum, with the common consent and agreement of the aforesaid Dean, Archdeacons and Canons, as well residents as non-residents, in the Chapter House assembled, and either by themselves or their sufficient proctors hereunto deputed appearing and forming the major part of the whole Chapter, We will and grant for Us and our successors, and thus by the tenor of these presents We do decree and ordain, that all the Bishops whatsoever, our successors that shall be for the time being in our aforesaid Cathedral Church, within the space of three days to be counted continuously from the time of their consecration, shall give, every one of them, or cause to be given, either twenty pounds or a cope of silk befitting their dignity and rank, but not of less value than twenty pounds sterling, to be honourably employed in our said Church for the honour of God, of the Blessed Virgin Mary, of St. Osmund and of all Saints, whensoever it is becoming and expedient, and into the hands of the Chancellor of the aforesaid Church if present, otherwise of the Treasurer if residing, or in their absence into the hands of some Canon residing in the said Church, to be specially deputed thereto at the discretion of the Dean and Chapter.

A.D. 1490. Nos, Thomas Sar*um* Episcopus, huius predicti Statuti primus auctor—qui vtinam longe prius tam pij operis auctor fuissemus—ut tanto bono operi simus exemplar, xx. libras ad usum predictum Nos effectualiter soluturos infra triennium a data hujus Statuti numerandum constituimus vel promittimus per presentes.

Quodque Decanus dicte ecclesie nostre, qui nunc est, et successores sui pro tempore existentes, dabunt, et eorum quilibet dabit, vnam Capam sericam que tamen minoris valoris quam decem marcarum non existat, aut summam decem marcarum antedictam; et Capam huiusmodi valoris x. marcarum aut decem marcas Decanus qui nunc est infra terminum trium annorum a tempore dat' huius statuti, successores vero sui a tempore Installacionum suarum, siue per se siue per alios installari † voluerint, quos etiam ad hoc statutum observandum installacionum suarum temporibus specialiter jurare volumus, prestito per eosdem aut ipsorum procuratores ad hoc specialiter constitutos in hac parte Juramento Corporali. Tradentque et liberabunt ad manus eorum aut alterius eorundem, de quibus est premissum, sub modo tamen et forma antedicta, ac temporibus inferius annotandis.

† *Misc.* f. 9b.

Insuper volumus et ordinamus quod Precentor, Cancellarius et Thesaurarius dicte ecclesie; quatuor eciam archidiaconi Dorset., Berkes., Sar*um*, et Wiltecir.; necnon Canonici ac Prebendarii subscripti, videlicet de Chermist' et Bere, Horton, Bedwyn, Teynton, Hyworth, Bleburi, Burbage et Husbourne, Shirbourne Abbatis, qui nunc sunt et eorum successores pro tempore existentes, dabunt et eorum singuli dabunt ad capas ut premittitur comparandas quinque libras, quam quidem summam presentes infra terminum a dat' huiusmodi statuti, futuri vero a dat' institucionum suarum, sub modo et forma inferius describend', liberare, tradere ac persoluere aut persolui facere ad manus eorum aut alterius eorundem de quibus est dictum, omnino teneantur et artentur. Hoc etiam

And We, THOMAS, Bishop of Salisbury, the first originator of this aforesaid statute—and would that We had originated so pious a work long before!—to the end that an example for so great and good a work may proceed from Us, do by these presents promise that We will effectually pay twenty pounds for the aforesaid purpose within three years' space to be reckoned from the date of this statute.

Further, that the Dean of our said Church, both the present one and his successors for the time being, shall give, and every of them shall give, a silken cope of not less value than ten marcs, or else the aforesaid sum of ten marcs; and a cope of this value of ten marcs, or else actually ten marcs, shall be given by the Dean that now is within the term of three years from the date of this statute, and by his successors from the time of their installation, whether they be pleased to be installed in person or by proxy; and we will that they shall specially swear to the observance of this statute at the times of their installations, corporal oath in this behalf being taken by them or by their proctors specially constituted thereto. And they shall render and deliver [the same] into the hands of those who have been specified above, or into the hands of one of them; but in the mode and form before rehearsed, and at the times to be noted below.

Moreover, We will and ordain that the Precentor, Chancellor and Treasurer of the said Church, and also the four Archdeacons of Dorset, Berks, Sarum, and Wiltshire, and further the Canons and Prebendaries underwritten, namely, of Chermister and Bere, of Horton, Bedwyn, Teynton, Hyworth, Blebury, Burbage and Husborne, and Shireborne Abbas, as well those that be now as their successors for the time being, shall give, and every of them shall give, for providing the copes mentioned in the premises *five pounds*, the which sum those that be now, within a term to be below described, from the date of this statute, and those that shall be, from the date of their institutions, shall be wholly bound and constrained to deliver, surrender and pay, or cause to be paid, into the hands of those, or one of them, of whom mention hath been made. This moreover being added, that if any

A.D. 1490. adiecto, quod si quis dictorum Archidiaconorum canonicatum et prebendam in dicta ecclesia fuerint assecutus, preter summam quam racione sue dignitatis exponere tenebatur ad vsum predictum, nichilominus ad aliam solucionem racione prebende debitam onerari volumus et gravari.

Canonici quoque infrascripti, de Grymstañ, Faringdon, Chessynburye et Chute, Bytton, Bedmyst', Harnam et Combe, Netherbury in ecclesia, Fordyngton, Schipton subtus Whichewode, et Stratton, qui nunc sunt et futuri, dabunt, et eorum quilibet dabit, pro huiusmodi capis comparandis, *quatuor libras* sterlingorum, quam quidem summam isti nunc incumbentes infra terminum a data hujusmodi statuti, successores vero sui a tempore institutionis eorundem, ad manus eorum vel alterius ipsorum de quibus supras fit mentio persoluere, aut persolui facere, teneantur et artentur omni modo ut supra.

Item Canonici ac Prebendarij inferius nominati, de Rem'ysburi, Graham Australl', Graham Boreal Rotfen, Bemyst' prima et secunda, Alton Pancrac'., et altera Alton Pancrac'., Netherburye in terra, Torleton, Buschipston, Yatmyst' prima, Netherhavyn, Dorneford, Wodforde, Slape, Preston, Lyme, Chedyrstock, Yatmyst' secunda,—Vphavyn, qui iam sunt et eorum successores dabunt, et eorum quilibet dabit, *quinque marcas* sub modo et forma prout de alijs soluere debentibus superius est statutum.

Item ceteri Canonici subscripti, de Warmyst', Stratford, Axford, Yatisburye, et Ruscumbe nunc existentes et futuri dabunt, et eorum singuli dabunt, sub eisdem modo et forma de quibus supra,—xxxiiis. iiij*d*. ad tam pium opus solummodo conuertendos.

Preterea circa premissa statuimus, quod si contingat aliquem Canonicorum dictorum ac prebendariorum ante plenam et integram solucionem dictarum summarum decedere, seu canonicatum et prebendam suos pure sponte simpliciter et absolute * resignare, quod tunc pro ceteris

* MS. Misc. Decani, f. 10.

of the said Archdeacons shall have obtained a canonry and prebend in the said Church, besides the sum which he was bound to pay on account of his dignity for the aforesaid use, it is our pleasure he be burdened with the obligation of another payment due on account of his prebend.

Also, the Canons under-written, viz. of Grymston, Faringdon, Chessynburye and Chute, Bytton, Bedmynster, Harnham and Combe, Netherbury in ecclesia, Fordyngton, Schipton under Whichewood, and Stratton, both present and future, shall give, and every of them shall give, for the providing of such copes, four pounds of sterling money; the which sum the present incumbents within a term from the date of this statute, and their successors from the time of their institution, shall be bound and constrained, exactly as above, to pay, or cause to be paid, into the hands of the person, or of one of them, of whom mention hath been made above.

Item, the Canons and Prebendaries below named, viz. of Remmysbury, South Grantham, North Grantham, Rotfen, Bemyster prima and secunda, Alton St. Pancras, and the other Alton St. Pancras, Netherburye in terra, Torleton, Bishopston, Yatminster prima, Netheravon, Dorneford, Woodforde, Slape, Preston, Lyme, Cherdystock, Yatminster secunda, Vpavon, as well those that be now as their successors, shall give, and every of them shall give, five marcs, in form and manner as is ordained above in the case of others from whom payment is due.

Item, the other under-written Canons, to wit, of Warminster, Stratford, Axford, Yatisburye and Ruscombe, existing and future, shall give, and every of them shall give, in the same manner and form as above, thirty-three shillings and four pence, to be converted only to so pious a work.

Further, as regards the premisses we decree that, if any of the said Canons and Prebendaries should happen to decease before the full and entire payment of the said sums, or to resign his canonry and prebend wholly voluntarily, simply and utterly, then for the remaining years during which they have not actually held their

A.D. 1490. annis quibus Canonici, aut Canonicus, non extiterint, ad solucionem vlteriorem minime teneantur, dum tamen pro rata temporis quo incumbebant, aut eorum aliquis incumbebat, solucionem fecerint eius quod prius debebatur.

Et si contingat aliquam personam dignitatem canonicatum seu prebendam in dicta ecclesia nostra obtinentem cum alia dignitate vel canonicatu et prebenda infra eandem permutare, seu pinguiorem dignitatem, canonicatum aut prebendam consequi vel habere, soluendo et supportando onus quod dignitati vel canonicatui et prebende prius obtentis incumbebat, alia solucione vlteriori nullatenus oneretur.

Insuper statuentes, quod si quis habens dignitatem aut canonicatum et prebendam in dicta ecclesia nostra, infra annum a tempore statuti presentis, siue institutionis eiusdem, Capam aliquam maioris valoris quam ad quem per nostram precedentem taxacionem est astrictus realiter obtulerit, nulla tunc alia solucione vlterius sit astrictus, nisi quid noui consecutus fuerit cuius pretextu ad aliquam nouam solucionem debeat onerari.

Et si quis habens dignitatem aut canonicatum et prebendam in dicta ecclesia, ante terminum prime solucionis faciende, de quo plenius est infra subiectum, ad aliam translatus extiterit, tunc racione prioris dignitatis aut canonicatus et prebende nichil soluere sit astrictus.

Item ne pecuniarum summe supradict' ad vsus alios quam ad vsus Caparum ut premittitur modo et forma supra specificatis liberande (quod absit) distribuantur, de concensu nostro; dictorum decani et canonicorum ordinamus, statuimus et decernimus, quod dicte pecunie ad manus Cancellarii, pro tempore existentis, si resideat ut tenetur, alioquin ad manus Thesaurarij si similiter resideat, aut, hijs aut eorum altero deficientibus, ad manus in dicta ecclesia nostra residentis et ad hoc ut premittitur deputati, omnino deferantur. Et quod

canonries or canonry they shall by no means be bound to further payment, provided nevertheless that for the proportion of time of the incumbency of them or any of them they have made payment of that which was previously owing.

And if it happen that any person holding a dignity, canonry or prebend in our said Church shall exchange it for another dignity or canonry or prebend within the same, or shall obtain or have a richer dignity, canonry or prebend, after discharging and supporting the obligation which was imposed on the dignity, canonry or prebend previously held, he shall nowise be burdened with other further payment.

We decree further that if any holder of a dignity, canonry or prebend in our said Church shall, within a year from the time of the present statute or of his institution, have offered a cope of greater value than that to which he was actually bound by our preceding taxation, he is to be thereupon constrained to no other payment, except he have obtained some new preferment on the plea of which he ought to be burdened with some fresh payment.

And if any holder of a dignity, canonry or prebend in the said Church shall, before the date for making the first payment—concerning which date it is expressed more fully below—have been translated to another, then he is to be bound to pay nothing on account of his former dignity or canonry and prebend.

Item, to the end that the above-rehearsed sums of money be not (which God forbid!) distributed to other uses than to those of copes, as directed in the premisses, to be delivered in the manner and form above specified, with the consent of the said Dean and Canons we ordain, provide, and decree that the said moneys shall be without fail lodged in the hands of the Chancellor for the time being, if in residence as he is bound to be, but otherwise into the hands of the Treasurer, if he in like manner be residing, or, failing these or one of them, into the hands of the officer residing in our said Church and deputed hereunto as already expressed. Also that persons at the

A.D. 1490. 19th Apr.

predictas summas soluere debentes, qui nunc sunt, infra sex menses soluere inchoabunt, a tempore presentis statuti continue numerandos, futuri a tempore institucionis eorundem, sic bis in anno soluendo, soluciones quoque continuando durante termino sic vsque ad plenariam satisfactionem tocius summe que debetur, et ad manus eorum de quibus est premissum.

Preterea quod deputeter vna Cista secura, tribus seruris firmanda, in thesauraria inferiori locanda, cum tribus Clavibus, quarum vna in manibus Cancellarij ecclesie, altera in manibus Thesaurarij, et tercia in manibus canonici Residentis, ad hoc per Decanum et Capitulum deputati, remaneant semper custodiende; Prouiso semper quod due claves in manibus vnius dictorum custodum simul et semel nunquam reponantur. Qui quidem Custodes, ut premittitur, deputati, cum soluentibus sub modo et forma et tempore supradictis, de summis, per eos aut eorum alterum receptis, billas semper conficiant indentatas, et quod idem recipientes de summis huiusmodi perceptis coram Decano et Capitulo infra mensem a festo Pasche semper computandum singulis annis computare et compotum reddere effectualiter compellantur. Et in † triennio semel, ac sic de triennio in triennium coram Nobis ac successoribus nostris si super hoc vel a nobis aut successoribus nostris congrue fuerint requisiti. Ad quod quidem statutum in toto, et qualibet eius parte, bene et fideliter obseruandum volumus et ordinamus omnes et singulos nos, quantum nos concernunt, successores nostros Episcopos Sar', necnon quoscunque Dignitates, Archidiaconatus, Canonicatus ac Prebendas in dicta ecclesia nostra Sar' obtenturos, prout et quemadmodum superius, Ac in eadem de cetero installandos, prius quam installentur et instituantur, de obseruando presens statutum, quatenus ipsos concernit, Corporale Juramentum prestare debere, ac quoscunque presens statutum observare recusantes reatum periurij incurrere ipso facto.

† *Misc.* f. 10[b].

present time owing outright the aforesaid sums shall begin to pay within six months, to be reckoned continuously from the time of the present statute, and the future ones from the time of their institution, paying thus twice in the year, and continuing the payments during the year until the whole sum due be fully satisfied and paid into the hands of the premised.

Moreover, that a safe chest be assigned, to be secured with three locks and placed in the lower treasury, having three keys, whereof one is to remain in the hands of the Chancellor of the Church, another in the Treasurer's hands, and the third in the hands of the resident Canon deputed hereunto by the Dean and Chapter, without ever leaving their custody; provided always that two keys are never to be deposited at one and the same time in the hands of any one of the said custodians. The which custodians, being deputed as premised, together with those who make payment in the manner and form and time above prescribed, shall always make bills indentured of the sums received by them or one of them, and the recipients of the same shall be compelled to reckon and render account effectually concerning the sums thus received before the Dean and Chapter within a month to be reckoned from the feast of Easter, year by year; and once in every three years, and so for every three years, they shall do it before Us and our successors, if they shall have been fittingly required to do so by Ourselves or by our successors. For the good and faithful observance of which statute in whole and in every particular, We will and ordain that all and singular, Ourselves (so far as they concern us), our successors the Bishops of Salisbury, and also whosoever shall hold dignities, archdeaconries, canonries, and prebends in our said Church of Sarum, in manner as rehearsed above, and also those who are to be installed in the same, shall be bounden, before they be installed and instituted, to make corporal oath touching the observance of the present statute, so far as it concerneth them, and that whosoever shall refuse to observe the present statute incur *ipso facto* the guilt of perjury.[1]

[1] The Statute on Cope-money was "recognised" by Bishop Jewel, 5th June, 1560, and again by Bishop Ward, 3rd October, 1672.

A.D. 1520.

Harward's Memorialls, f. 28ᵇ, *al.* p. 34.

25 May. Leguntur statuta per Cardinalem Wolsey edita et monentur choriste et vicarii quod obseruantur. § (*sic.*)

Eodem die xxv Maij Anno Domini M°ccccxx° in domo Capitulari ecclesie Cathedralis predicte hora capitulari consueta M. Willelmo Wilton[1] antedicto presentata erat commissio Reuerendi patris Edmundi Sar' Episcopi vna cum statutis nouiter per Reuerendissimum patrem Thomam Eboracensem Archi-Episcopum tituli Sancte Cicilie § Cardinalem Anglie Cancellarium editis et factis Cuius commissionis omnis ob reuerenciam committentis personaliter fecit proclamacionem et nullo comparente contradictore in se assumpsit cum Auctoritate predicta statuta omnia et singula suo ordine, tot*i* clero infra clausum Sar' viz. vicariis, choristis, Cantaristis et alijs capellanis tunc in domo Capitulari presentibus, debite publicauit ac eadem statuta iuxta tenorem eorumdem firmiter vsque ad festum sancte trinitatis proxim' futurum per eosdem et eorum quemlibet obseruari et custodiri mandauit iuxta vim formam et effectum dictorum statutorum tenore commissionis sue sibi in hac parte commisse. Et subsequenter circiter horam quartam post meridiem eiusdem diei Idem locum tenens domini decani et cancellarius dicti domini Edmundi Sar' Episcopi in ecclesia Cathedrali Sar', loco ipsius, ibidem Auctoritate commissionis sue predicte sibi directe simili modo publicauit predicta statuta tot*i* clero Ciuitatis Noue Sar' tunc ibidem presenti; presentibus Willelmo Cokkes et Thoma Page cum pluribus alijs testibus, etc.

Statuta obseruanda.

[1] W. Wilton, Master of St. Nicholas' Hospital, 1510; Chancellor of the Cathedral, 1507–23. Buried in the Chapel of St. Stephen and All Martyrs.

The following imaginary epitaphs, on the Bishops of Salisbury from 1450 to 1501, follow that on Bishop Aiscough (1438–50), printed on p. 319 above, and are written at the end of the chained MS. *E.* :—

Tu pulchritudo : Agri de presule nudo
Fis pastor Sar*um* : curam gerens animarum.
Victus eris certe : si fiant prelia per te
Dant ob peccata : contraria se tibi fata.
Casus adest qui te : priuabit lumine vite.

(Ri. *Beau-Champ*, 1450–81. Line 3 was perhaps suggested by Bishop Wyville's brass, on which his champion at the trial by battle is represented.)

The same day, 25th May, A.D. 1520, in the Chapter House of the said Cathedral Church, at the usual hour for the Chapter, to Master William Wilton aforementioned was presented the commission of the Reverend Father Edmund [Audley] Bishop of Salisbury, with statutes recently issued and made by the most Reverend Father Thomas [Wolsey] Archbishop of York, Cardinal of the title of St. Cecilia, Chancellor of England. Of which entire commission he personally made proclamation out of respect to him who issued it; and seeing that no person appeared to gainsay it, he took upon himself by that authority to publish duly the statutes all and singular in their order, all the clergy within the Close of Salisbury, to wit the Vicars, Choristers, Chantry priests and other Chaplains being then present in the Chapter House; and he commanded that the same statutes should be observed and safely kept according to the tenour of the same until the feast of the Holy Trinity next ensuing, by them and every one of them according to the true form and effect of the said statutes in the tenour of his commission committed to him in that behalf. And afterwards about 4 p.m. the same day, the same *locum-tenens* of Mr. Dean, and the Chancellor of the said Edmund Lord Bishop of Salisbury published in like manner in his lordship's place there, by authority of their said commission to them directed, the said statutes in the Cathedral Church of Salisbury to all the clergy of the City of New Sarum there present; in the presence of W. Cokkes and T. Page, with many other witnesses, *et cetera*.

*Pre*sul venturus : diues et nomine durus.
Grex tibi marcescet : don*ec* infamia cess*et*.
Contentu*m* solo : te caste viuere volo.

(Lionel *Wood*ville, 1482–84. Brother of Elizabeth, consort to King Edward IV.)

Sangu*i*nis egregij : fis predo pastor olimpi.
Boria nut*ri*tus : precib*us* mitra redimitus.
Morte repe*n*tina : morier*is* facta ruina.
Gr*a*cia diuina : libera*beris* a libitina.

(Thomas Langton, 1483–1493. Born in the north at Appleby, he died suddenly of the plague in 1501, Bishop of Winton, when just elected to Canterbury.)

† MS. E., f. 64^{b} = p. 140.

† Statuta et Consuetudines Computi Communariorum.

(7th April, 1528.)

A.D. 1528.

De Stipendio Communarii.

7° Aprilis, 1528, ordinationem fecerunt super eo quod annis preteritis Communarius annuatim percipiebat et habebat pro salario suo et in expensis suis in eodem officio suo factis 20 marcas in computis incertorum sibi allocatas. Nunc verò pro bono pacis et concordiæ decreuerunt vnanimi consensu quod Communarius habebit et percipiet annuatim pro salario suo ac caeteris suis expensis in huiusmodi suo officio qualitercumque factis et expositis, faciendis et exponendis, x. libras sibi in dicto computo Incertorum allocandas, et v. marcas in computo Certorum in magno rotulo allocandas.[1] Et decretum [fuit] quod hoc statutum concordia et ordinatio durabit et obseruabitur in futurum, nisi aliter decretum fuerit per dictum capitulum.

V(*u*)lpis loc*us* adest, scamnu*m* qui scand*ere* temptat.
Sed dormire prodest, (*blank*),
Non es tu dignus: amor huic est namque malignus.

(John Blyth, 1494–99. Son of W. Blythe, of Norton, Derbyshire, who made a fortune in trade. His mother was sister of Bishop Rotheram, and his younger brother became Bishop of Lichfield. Mr. A. R. Malden, who was much interested in these verses, could throw no light upon this stanza.)

Vertet egestatem: tibi sors in prosperitatem.
Est et instorum: deus et tutela bonorum.
Subdet velle dei: te semper pauperiei.
Dicatus rebus: paucis redit illa diebus.

(Henry Deane, or Shere, 1500–1501; previously Prior of Lanthony and Bishop of Bangor, Chancellor of Ireland, Archbishop of Canterbury, 1501–3. Died of the plague.)

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[1] The Communar's salary, previously to 1528, had been 20 marks allowed in the *Compotus Incertorum*.

Of Lay Vicars Choral. (*See below*, p. 375.)

In the second set of Royal Injunctions administered for St. George's Chapel, Windsor, in November, 1547, No. 5 thus begins—

"*Also* because the choir cannot now be so well furnished with priests that are cunning singing men, for the rareness of them, as it might

Statutes and Customs of the Audit of the Communars.

Concerning the Stipend of the Communar.

On the 7th of April in the year 1528 they made an ordinance, because in past years the Communar used to receive and have as his salary and for his expenses in the said office 20 marcs allowed in his accompt of variable outgoings. But now, for the sake of peace and concord they unanimously decreed that the Communar shall have and receive each year as his salary, and on account of all his expenses, however incurred or disbursed, or to be incurred or disbursed in such office, the sum of £10, to be allowed in his accompt of variable expenses aforesaid, and 5 marcs to be allowed in the accompt of fixed payments in the Great Roll. And it was decreed that this statute, agreement, and ordinance shall endure and shall be observed hereafter unless it shall be otherwise decreed by the said Chapter.

(MS. E. f. 64^{b} = p. 140. Entered by Seth Ward from tom. 19, p. 126—a volume not now extant.)

have been in time past; therefore . . . we enjoin that . . . as the other two vicars' rooms to be void, two laymen clerks shall be appointed . . . and either of them to have and receive ten pound yearly for his wages." (Frere, *Injunctions*, ii. 161–2.) Although we have no trace of such an injunction being sent to the Cathedrals, it appears that at a Chapter held at Salisbury in the same month of the first year of King Edward VI., Friday, 25th November, 1547, the King's Letters (not here preserved) were read to fourteen Vicars (named), and it was thereupon agreed to give to Patricius Foorde, a layman, the place or office "*vnius vicariorum choralium laicorum*" when a vacancy should occur subsequent to the admission of one Rob. Courteney to the community of vicars, he (*ut aiunt*) having been promised the next vacancy. After waiting nearly three years, Patrick Foorde came before another Chapter meeting, on 18th June, 1551, and renounced his claim. "Et quia modo dicti Vicarij (vt aiunt) sunt destituti de vno vicario cantante ad partem vocatam *le Cownter tenour*," they promised, with assent of the Dean's Locum-tenens (Precentor T. Benet), Chancellor Parry and two Canons-residentiary, to grant the next vacancy of the office of a lay vicar choral after they should have provided themselves of a vicar "cantantis ad partem vocat' le Counter tenor." (Regist. *Holte*, f. 22 = p. 43; f. 29 = p. 57.) Later, 15th July, 1552, one W. Brodehorne, of Windsor, came armed with "his sute for the advowson or next avoydance of a lay vicar there." But "vpon a rewarde graunted and

A.D. 1535-6. (18 Jan.)

INJUNCTIONES[1] REGIS HENRICI OCTAVI, IN SUA REGALI VISITATIONE. Aō 1535-6.

[Statute Book (h), f. 74, E. 6 = p. 141.]

(a) 2. Quod Episcopus, Decanus, Precentor, Cancellarius, et Thesaurarius, ac ceteri Canonici sive Prebendarij, et ministri huius Ecclesie cathedralis Sarum, omnes et singuli obseruabunt, et eorum quilibet obseruabit, Statuta, Ordinaciones, ac laudabiles Consuetudines eiusdem Ecclesie, quatenus eos respectiue tangunt, ac cum sacris literis et verbo diuino conveniunt, et non adversentur aut repugnent istius regni statutis et legibus.

(b) 5. Item quod singulis quibusque hebdomadis bis saltem quidpiam ex sacris litteris publice perlegatur, preter vacacionum tempora ab Academia Oxoniensi vsitata, cui muneri obeundo eruditus quispiam sacrarum

geuen vnto hym," he went away "contented and pleased." (*Holte*, f. 32b = p. 64.)

On 30th March, 1547-8, the Chapter, assembled with the Vicars after considering ("ad contemplacionem") the letter of "that noble lady, Anne, Duchess of Somerset," in favour of admitting one W. Payne, as "perpetuum stipendiarium dicte ecclesie," agreed to appoint him for life, and consented that he should receive £6. The Chapter thereupon enacted that

"*In primis* he the said William Payne shalbe and is bounden to kepe the quyer and to doe seruice there, in his surples, as other vicars dothe, at all tymes except Feryall dayes, and also to be Rector" [*i.e.* one of the rulers of the choir] "when he shalbe appoynted.

"Item he is bounde to be at Matyns at nyght in all doble feastes.

"Item he is bounde to synge at our Lady Masse dayly and to be at all processions." (Reg. *Holte*, f. 19b = p. 38.)

Apparently the 19th Royal Injunction of 1547 for Cathedrals generally (*Frere*, ii. 138), which ordered them to "surcease from singing of Divine Service in the night time," and which directed that they should make 6 a.m. the hour for Mattins from 8th October, 1547, had not been accepted at Salisbury as yet.

[1] In the Statute Books the following preamble is prefixed to this

INJUNCTIONS OF KING HENRY VIII. AT HIS ROYAL VISITATION IN THE YEAR 1535 [*i.e.* 18TH JANUARY, 1536].

(A) The Bishop, Dean, Precentor, Chancellor, and Treasurer, as well as the other Canons or Prebendaries and Ministers of this Cathedral Church of Sarum, all and singular, shall observe, and every of them shall observe, the statutes, ordinances, and laudable customs of the same Church, so far as they touch them respectively, and are agreeable to Holy Scripture and the Word of God, and are not opposed or repugnant to the statutes and laws of this Realm.

(B) *Item*, twice at least in each and every week some passage from Holy Scripture[2] shall be publicly read, except the times of vacation usual in the University of Oxford. For the performance of which duty some person

document:—"Sequitur certa pars Injunctionum fact. et datarum reverendo Patri et Domino Nicholao [Shaxton] permissione divina Sarum Episcopo, Decano et Capitulo ecclesie cathedralis beate Marie Virginis Sarisburiensis antedicte, Canonicisque ac ceteris ministris eiusdem Cathedralis Ecclesie, ex parte illustrissimi et inuictissimi in Christo Principis et Domini nostri Domini Henrici Octaui, Dei gratia Anglie et Francie Regis, Fidei Defensoris, Domini Hybernie, ac in terris supremi ecclesie Anglicane immediate sub Christo capitis, in sua regali visitacione exercita et celebrata infra Ecclesiam Cathedralem predictam decimo octavo die mensis Januarij, anno Dominice Incarnacionis 1535°; et regni dicti florentissimi Principis 27°, per venerabilem virum magistrum Johannem Tregonwell, a consilijs dicti Domini Regis, vnum legum doctorem, commissariumque et visitatorem in dioces' Sar*um*, Exoniensi et Batwellensi rite et legitime assignatum et deputatum." (A° Dni 1535 et Reg. Regis Henrici VIII. 27°.)

A prayer in English, by Bishop Shaxton, is printed on the back of the title-page in two copies of Coverdale's Bible, one of 1535 and the other of 1537. It is given at length in *Notes and Queries* (December, 1882), p. 481. (*J.*)

[2] In the Account of the Master of the Fabrick for Jan.–Mar., 1539–40, is an item "*solut' pro vna biblia cum cathena pro eadem*, xj*s.* viij*d.*"

A.D. 1535–6. literarum penitus preficiatur; atque ei honestum salarium Cancellarij Sarum ecclesie sumptibus decernatur. Et ad hanc lecturam omnes et singuli tam huius ecclesie Sar' quam civitatis Sarum presbiteri, sub pena ab Episcopo hujus ecclesie seu eius vicario generali infligenda, accedere compellantur, nisi justa et equa causa sit quam sue absencie pretextant.

(18 Jan.) *Declaratio Statut' de Residen' Canonicorum fact' in Visitacione predicta per Commissarium antedictum.*

(c) 15. Item ad tollendum omnem dubitacionis et ambiguitatis materiam, que de et ex statutis et ordinacionibus super residencia canonicorum in hac ecclesia cathedrali Sarum editis et prouisis in posterum oriri poterit, auctoritate regia et suprema ecclesiastica nobis, Johanni Tregonwell Commissario antedicto in hac parte commissa declaramus, ac declarando decernimus et diffinimus, quod nullus Canonicus ibidem residen' integras alicuius termini distributiones percipiet, nisi tantam fecerit residentiam quod iuxta antiquam consuetudinem eiusdem ecclesie hactenus vsitatam in et de Communis tam simplici quam dupla, in ipso eodem termino quadraginta solidos valeat reportare, Ad quam quidem summam quadraginta solidorum per residen' (ut premittitur) in et de Communis huiusmodi reportandam et acquirendam computamus, et pro computatis haberi volumus, duodecim eiusdem termini dies continuos vel interpellatos libere absentie prout hactenus inter eosdem canonicos residen' vsitatum est. *Quod si per reliquos sive residuos eiusdem termini dies (quibus etiam abesse poterit) aliquis de Canonicis residen' predictis absens fuerit, nichilominus quoad distribuciones in eodem termino debitas integer Canonicus reputabitur, Communas tamen dictis † reliquis diebus in absencia sua non percipiet. Si vero aliquis Canonicus residen' ‡ ibidem in vno termino

"quæ": *H.*

* E. f. 66 = p. 143.

† "dictas": *H.*

‡ "residens": *H.*

of great learning in the Holy Scriptures shall be appointed, and a becoming salary decreed to him at the charge of the Chancellor of the Church of Salisbury; and to this lecture all and singular the priests as well of this Church of Salisbury as of the City of Sarum are to be compelled to repair, under a penalty to be inflicted by the Bishop of the said Church or his Vicar-General, unless there be a just and equitable reason to excuse their absence.

Declaration of the Statute "Of the Residence of Canons," made by the Commissary aforesaid in his before-mentioned Visitation.

(c) *Item,* for the removal of all matter for doubt and ambiguity which hereafter may arise touching and springing out of the statutes and ordinances published and provided for the residence of the Canons in this Cathedral Church of Salisbury, now by the royal and supreme ecclesiastical authority committed to us, John Tregonwell, the aforesaid Commissary, in this behalf, we do declare, and in declaring we decree and define, that no Canon resident therein shall receive the entire distributions of any term unless he shall have kept the residence which according to the ancient custom of the same Church hitherto usual in and concerning the commons, as well single and double, may bring in forty shillings in the same term. For the bringing in and getting of which sum of forty shillings by a residentiary, as premised, in and concerning such commons, we reckon, and our will is that of the same term, there be reckoned twelve days of leave of absence, either continuous or broken, according as hath hitherto been usual among the same residentiary Canons. But if during the residue or remainder of the days of the same term (even those for which he hath power to be absent) some one of the aforesaid Canons shall have been absent, nevertheless as regards the distributions due in the same term he shall be reckoned a full Canon, howbeit he shall not receive the said commons on the remaining days in his absence. But if some Canon there resident shall in one term have kept so much residence

A.D. 1535–6. tantam fecerit residentiam que in et de Communis tam simplici quam dupla, (ut prefertur), triginta solidos reportare valeat, tunc tres partes distributionum termini illius tantummodo percipiet, ad quam quidem summam triginta solidorum in et de Communis huiusmodi nanciscend' et habend' nouem dumtaxat diebus libere absentie superius memorate gaudebit. Quod si viginti solidos in et de Communis huiusmodi in termino (ut prefertur) habere et reportare potuerit, tantum duas distribucionum partes eiusdem termini percipiet; ad quam quidem summam viginti solidorum adipiscendam et reportandam tantum sex prefate libere absencie dies concedi interpretamur. Ubi vero decem solidos in et de Communis predictis in vno et eodem termino (ut supra dicitur) reportaverit, tunc quartam dumtaxat partem distribucionum termini illius predicti nostra declaratione percipiet; ad quam quidem summam decem solidorum acquirendam et habendam tres dumtaxat predicte libere absencie dies (ut supra) concedi volumus.

(D) Preterea, auctoritate qua supra, decernimus quod Communa canonicorum ibidem (ut premittitur), residen' in vnoquoque termino quantum ad compotum et perceptionem distributionum attinet, tantum in decem, viginti, triginta et quadraginta solidis in computando, et non in alijs summis (ut moris est) diuidatur; Ita quod † E. f. 66b = p. 144. Canonicus qui minus quam decem solidos in et † de Communis (ut prefertur) in termino reportauerit, de distribucionibus illius termini nichil omnino percipiet.

De computo de prouentibus incertis. (E) 16. Item quod de prouentibus (quos vocant) incertis, fiat deinceps vnus compotus particularis, post finem cuiuslibet anni, iuxta formam, tenorem, et effectum vltimi statuti [1] in ea parte editi, prouisi, approbati, et vsitati.

De nominatione ad Beneficia. (F) 17. Item quod quotienscunque aliquis de canonicis predictis ad beneficium aliquod de patronatu siue collatione eorundem canonicorum existens iure suo iuxta consuetudinem inter eos vsitatam—(videlicet a seniore

[1] See above, pp. 278–280 (*sub ann.* 1374). There had been an ordinance on *Uncertain Profits* made previously, viz. 4th Mar. 1334–5.

as, in and of commons both single and double (as aforesaid), can bring in thirty shillings, then he shall receive only three parts of the distributions of that term; for the acquiring and having of which sum of thirty shillings in and of such commons he shall have the benefit of nine days at least of the leave of absence above mentioned. But if he can have and take twenty shillings in and of such commons in the term, as aforesaid, he shall receive but two parts of the distributions of the same term; for the getting and taking of which sum of twenty shillings only six days of the aforesaid leave of absence are, as we rule the matter, to be allowed. But when he shall have taken ten shillings in and of the aforesaid commons in one and the same term, as is above rehearsed, then we declare that he shall receive a fourth part at least of the distributions of that the term aforesaid, for the acquiring and having of which sum of ten shillings it is our pleasure that three days at least of the aforesaid leave of absence be allowed, as above.

(D) Moreover, by the authority as above, we decree that the commons of the Canons in the said place (as is premised) resident in each term, so far as belongeth to the reckoning and receipt of the distributions, shall be divided only into shares of ten, twenty, thirty, and forty shillings in reckoning, and not into other sums, as is usual; so that the Canon who shall have taken less than ten shillings in and of the commons, as aforesaid, during the term, shall receive nothing at all of the distributions of that term.

(E) *Item*, as concerning uncertain profits, as they are called, let there be henceforward one particular reckoning, after the end of every year, according to the form, tenour, and effect of the latest statute in that behalf published, provided, approved, and put in ure.

(F) *Item*, whensoever any of the aforesaid Canons shall have nominated some person to the Dean and Chapter for presentation and admission to some benefice which is in the patronage or collation of the same Canons, in their own right, according to the custom usual among them—namely, always beginning from the senior

A.D. 1535–6. 18 Jan.

residen' semper incipiendo, et ad singulos pro vice sua inferiores seu iuniores successiue, descendendo, donec et quousque omnibus et singulis residen[tiariis] fuerit in huiusmodi collatione sive nominacione gratificatum, vna cum iteracione et repeticione eiusdem ordinis, quociens opus fuerit)—personam aliquam Decano et Capitulo presentandum sive admittend' nominauerit, tunc immediate post nominationem huiusmodi, facta presentacione sive collatione per Decanum et Capitulum ad nominationem eandem, fiat et tradatur proximo in ordine Canonico residentiario scedula de libere nominando personam aliquam ad beneficium tunc proxime vacaturum; per cuius quidem scedule traditionem et liberationem censeatur plenum ius nominandi ad beneficium huiusmodi, tunc proxime vacaturum, eidem Canonico pro illa proxima vice iure suo plene competere.

(G) 18. Item quod Decanus, Precentor et alii tam dignitatem habentes quam ceteri quicunque Canonici et Prebendarii * huius † ecclesie, singulis annis, terminis et temporibus consuetis, soluent seu solui facient Vicariis choralibus ac alijs ministris istius ecclesie stipendia et alias pecuniarum summas eis ratione fundacionis statutorum, seu alias quouismodo legittime debitas, sub pena sex solidorum et octo denariorum (quorum dimidia pars erario ‡ Regie Magestatis, et altera Fabrice istius ecclesie cathedralis Sarum applicabitur) preter et ultra debitum principale parti cui debetur solvendum.

* E. f. 67 = p. 145.

† (*MS. H. omits* "huius.")

‡ "erario": MS. *E.* and *Bishop Burgess' MS.*; "ærario": MS. *H.* (transcribed *circa* 1616), f. 76.

Per me, JOHANNEM TREGONWELL'.

Que omnia et singula tam in hijs litteris iniuncta quam in posterum iniungenda, tam ab episcopo huius loci quam a ministris istius ecclesie, quatenus eos respectiue tangunt, firmiter et inuiolabiliter obseruari vult Regia maiestas.

Per me, THOMAM PEERSSE,

Notarium et Actuarium in Regali visitacione antedicta.

Residentiary and descending successively to each of the inferior or junior Canons in his turn, until each and all of the Residentiaries shall have enjoyed his rights in the matter of such collation or nomination, the same order also being iterated and repeated as often as there shall be need—then, immediately after such nomination (presentation or collation by the Dean and Chapter having taken place in pursuance of such nomination), let there be made and delivered to the Canon residentiary who is next in order a schedule declaring the free nomination of some person to the benefice then next about to be vacant; by the handing in and delivery of which schedule it is to be held that full right of nominating to such benefice, then next to be vacant, belongeth fully to the same Canon for that next turn, in his own right.

(G) *Item*, that the Dean, Precentor, and others as well the holders of places of dignity as the entire residue of the Canons and Prebendaries of the Church, year by year, in the terms and at the times accustomed, shall pay or cause to be paid to the Vicars-choral and other Ministers of this Church the stipends and other sums of money due to them by reason of the foundation, statutes, or in any other lawful manner, under a penalty of six shillings and eightpence (one moiety of which shall be applied to the King's Majesty's treasury, and the other to the fabrick of this Cathedral Church of Sarum), besides and beyond the principal sum due to be paid to the party to whom it is owing.

By me, JOHN TREGONWELL.

Which things, all and singular, as well enjoined in these Letters as to be enjoined hereafter, the King's Majesty wills shall be firmly and inviolably observed, as well by the Bishop of this place as by the Ministers of the said Church, so far as they touch them respectively.

By me, THOMAS PEERSSE,
Notary and Actuary in the aforesaid Royal Visitation.

OF THE AUTHORITY OF THE CUSTOM-BOOK.

* MS. *E.* f. 67[b] = p. 146.

* THIS Article was mynystred to the Canons being resydent within the Cathedral Churche of Sarum by me John Tregonwell exercysyng the Kinge's moste highest Visitacion within the saide Church.

(21) "*Item*, Whether the boke named *the Customarie of Saincte Osmonde*, wherein is declared the charges apperteynyng to the Deane, Chaunter, Chauncellour and Treasorer of Sarisburie, and to all other mynysters of the same Churche, be autenticke other † oughte to be beleuyd or any credaunce to be yeuen ‡ to the same boke, or nay?"

† *i.e.* either.

‡ given.

22 Jan. 1535-6.

(22) QUI quidem Canonici Residen[tiarij] omnes et singuli in domo Capitulari eiusdem Cathedralis Ecclesie sue vicesimo secundo die Januarij Anno Dominice Incarnationis M°CCCCC°XXXV° per prefatum Magistrum Johannem Tregonwell, commissarium, examinati dixerunt, et quilibet eorum dixit, in vim Juramenti sui prius prestiti, in presentia mei Thome Peersse Notarij publici et Actuarij in dicta Regali Visitatione legittime assumpti; Quod crediderunt ipsum li-*brum nuncupatum **Consuetudinarium diui Osmundi** fuisse et esse autenticum, et credendum eidem.

* f. 68.

(23) ET Nos Johannes Tregonwell, Commissarius antedictus Auctoritate Regia legittime deputatus, pronunciamus et declaramus, prout etiam alias pronunciauimus et declarauimus, dictum librum fuisse et esse autenticum, fidemque indubiam eidem libro esse adhibendam. In cuius rei fidem et testimonium manum propriam subscripsi presentibus;—

Per me JOHANNEM TREGONWELL.

Ita est. Per me THOMAM PEERSSE, Actuarium in predicta Visitacione.

OF THE AUTHORITY OF THE CUSTOM-BOOK.

[Bishop Richard Poore's *Consuetudinarium*, in past ages attributed to St. Osmund whose Institutions it purports to "explain," has been edited by Dr. Frere in the former volume of the *Use of Sarum*, 8vo, Cambridge, 1898, and had been previously translated by Canon W. H. Rich Jones for the Rolls Series of Chronicles, etc., 8vo, 1883 (*Register of St. Osmund*, i. pp. 1–185). We have given a few specimens of its contents, in English, with observations, in the present volume, pp. 56–69, above.

The analysis of *Answers* (prepared by Dr. Walter K. Hamilton, while Precentor, and the Dean and Chapter) to the First Series of Questions of the *Cathedral and Collegiate Church Commission*, 31st January, 1853, and printed in the *First Report*, 6th April, 1854, p. 31, cf. Appendix, pp. 363, 376, states that Salisbury Cathedral by its Original Constitution was "*Founded by St. Osmund*, A.D. 1092, *and governed by a succession of episcopal or capitular Statutes from his time to* A.D. 1851." Also that under its "Present Constitution, *The Statutes are unrepealed, except by the partial operation of* 3 & 4 *Vict. c.* 113," by which "two of the residentiary stalls will be suspended, and all the separate estates of the dignitaries, sub-Dean, sub-Chanter, and prebendaries will be vested absolutely in the Ecclesiastical Commissioners," *ibid.* p. (111).]

(22) The Canons Residentiary, all and several, in the Chapter House of their said cathedral church, the 22nd day of January, in the year of our Lord's Incarnation 1535, being questioned by the said Master J. Tregonwell, said, each and all, in virtue of the oath which they had previously taken, in presence of me, Thomas Peersse, notary publick, and lawfully employed as actuary in the said Royal Visitation; That they believed that the self-same book which is called *the Consuetudinary of St. Osmund* was and is authentic, and that reliance should be placed upon it.

(23) And we, John Tregonwell, the Commissary aforesaid by the King's authority lawfully deputed, do pronounce and declare, as we have done heretofore, that the said book was and is authentic, and that undoubted trust should be placed on the said book. In testimony and confirmation whereof I have set mine own hand to these presents.

(By me) JOHN TREGONWELL.
(Signed as correct by me) THOMAS PEERSSE,
Actuary at the said Visitation.

INJUNCTIONS OF QUEEN ELIZABETH TO THE CATHEDRAL CHURCH OF SALISBURY, A.D. 1559.[1]

[STATUTE BOOK (H), fol. 109.]

A.D. 1559. 10 Aug.

* MS. H. f. 109.

*INJUNCTIONS given by the Queenes Majestie, Elizabeth, by the grace of God of England, Fraunce and Ireland Queene, Defender of the Faith, &c., To the Deane and Chapter, the Dignities, Canons Residentiaries and other Cannons, the Vicars and all other mynisters in the Cathedrall Churche of Sarum, to be observed of them in theyre offices, and all other in theire degrees, as farre as to them appurtaine for the advauncement of God's honor, encrease of virtue, and for good order to be had amongste them:

FIRSTE, they shall observe and cause to be observed, not onely in theyre owne churche but alsoe in other churches appropriate to them, and in other places under theyre jurisdictione, all and singular the Injunctions given by the Queenes Majestie to the clergie, as farre as they shall concerne them or anie of them.

2. ITEM, they shall cause all doales and almes founded and ordayned in their churches to be truly donne and made, according to the tenor and effect of their foundations and other ordinances.

3. ALSOE, they shall not haunte or resorte to Taverns or Alehouses, nor give themselves to drinkinge, dysinge, cardinge, huntinge, hawkinge, or anie other unlawfull

[1] Dr. Walter Howard Frere has compared these Injunctions with the twenty-two Royal Injunctions for Cathedrals issued by authority of King Edward VI. in 1547. *Alcuin Club* Collection, xvi. (1910), vol. iii. pp. 30-35, collated with vol. ii. No. xxii. pp. 135-139. Under the provisions of the 13th Injunction of 1547 (*Frere*, ii. p. 137), Mr. Simon Symons applied to the Chapter on the 3rd October in that year, through Canon Arche as his proxy, for induction into the stall of Netheravon, offering £20 as caution-money. The President and Chapter at first demurred, "quia ista peticio est nova, et non apud eos preantea vsitata, ac contra ordinaciones et consuetudines dicte ecclesie. Ideo duxerunt deliberandum fore super responsionem. Nichilominus propter sagacitatem, probitatem et discretionem prefati Magistri Simonis Symons, dicti Locumtenens et Capitulum intendunt gratificari eidem in quantum commode et honeste possunt, Saluis Statutis et consuetudinibus dicte ecclesie cathedralis." (Regist., *Ric. Holte*, f. 21b.)

games, but shall, after service is donne, give themselves to readinge and studyinge of scriptures and of the good expositions thereof, or to some other virtuous and godlye exercises. A.D. 1559. 10 Aug.

4. Alsoe, they shall be present at all sermons preached within theyre churches and lectures of divinitie and cease from all other devine service duringe the time of the same.[1]

5. Item, they shall not suffer anye suspected woman to resorte unto the[y]re houses or chambers, nor shall resorte to anye such woman in anie other place.

†6. Alsoe, they shall [2] in there Common seruice praye for the prosperitie of the Queenes [3] Majestie by name, sayinge the collect appointed for that purpose. † H. 109b.

7. Item, they shall reade aswell the Injunctions given by the Queen's Majestie to the clergie, as all these [4] Injunctions yearely and [5] every quarter in the Chapter House, and have the true Coppie of them hanged vpp there, soe as every man may haue convenient accesse to reade the same, and that to be donne before the first daye of September nexte.

8. Item, they shall make a librarye in some Convenient place within there churche within the space of one yeare next ensuinge the visitation, and shall lay in the same these booke § following:—Augustinus, Basill, Gregorie Nazianzene, Hierome, Ambrose, Chrisostome, Cyprian, Theophilacte, Erasmus,[6] Clemens Alexandrinus, § (*sic.*)

[1] In 1547 the direction was here given: "And that they maye the more conveniently attend upon the sayd sermon they shall omit the prime and hours."

[2–3] "In all their masses pray for the prosperity of the King's" . . . (1547).

[4] "King's Majesty to his clergy, as also these" . . . (1547).

[5] "and": H.; "ons" (*i.e.* once): 1547.

[6] These four last named were not specified in the 8th Injunction for Cathedrals (as sent to Winchester, etc.) in 1547. (Frere, ii. 136. Cf. No. 21, below.) It may be questioned whether this article was carried into effect at Salisbury. At least it does not appear that the copies of these particular books of divinity which are at present in the Cathedral library were any of them acquired in the xvith century. If copies of the books specified were then acquired, they must have suffered the fate of some other small lending libraries. It must not, therefore, be concluded that there was no Cathedral library here before Bishop Jewel's time. The library built over the cloisters in the

A.D. 1559. 10 Aug. Justinus Martir, Paraphrases *annotationes ipsius, novum testamentum,*[1] *ac alios concernen' theologiam,* and other good writters works.

9. ITEM, they shall not sweare nor blaspheme the name of God, nor vse anye wanton fylthye checkinge spitefull and scornefull words, but theyr Communication shall be honest without contention, virtuous, gentle, learned, and tendinge to the edification of others.

10. ITEM, shalbe bounde to keepe hospitallitye by the ordinaunce of the Churche, [and] shall use the same measureably without excesse accordinge to their portion, reliefe the poore waye faringe people, honest and needye persons therewith, and specially such as be poore ministers of this Churche.

* H. f. 110. *11. ITEM, they shall reade some parte of holye scripture in Englishe euerye daye at there table in the time of theare meales, to the intent, they havinge Communication therefore, may avoide slaunderous and vnfruitefull talkinge.

12. ALSOE, they shall observe and cause to be observed the foundations and statutes of this Churche whiche be not repugnant, Contrarie, or derogatorie to these Injunctions, and the lawes and statutes of this realme.

time of Bishop W. Ayscough (*libraria nova*) was erected with his assistance in 1445, and in it were placed about 220 manuscript volumes (of which 186 remain), written at various dates from the IXth to the XVth century, and presented by various Bishops, Deans, Chancellors, Canons, Vicars, and Chaplains from about 1220 to 1470. Bishop Jewel himself may have given one book-case. His successor, Edmund Gheast, was a considerable donor of printed books, mainly of his time. St. Osmund himself had done what he could to create a library at Old Sarum. We have more than one copy of the Scholastic History by Petrus Comester. The earliest (which is fragmentary) bears the name of a donor contemporary with Bishop R. Poore, viz. Robert de Beaufoe (Bellafago or Bellofoco), who held the prebends of Pottern, Cannings and Horton, *cir.* 1192–1214. His verses in praise of Ale are in MS. G. vi. 30 in Camb. Univ. Library, and he is described by Bale as "vir literatissimus." On Bishop Jewel's Library, see p. 378 *n.*

[1] "*Desid. Erasmi in Novum Testamentum Annotationes*, ex postrema *ipsius* Authoris recognitione; addito Indice plus tertia parte superioribus editionibus locupletiore. Basil, 1555." There are two copies of the Paraphrases on the Gospels and Acts, Lond., folio, 1551, in the Cathedral library, R. 3. 13; R. 4. 13.

13. Alsoe they shall not take for anie Collour of cause above the somme of *Twentye pounds* of anie Prebendary which will enter his residence, beinge a man of honest Conuersation and learninge able to preache and vsinge the same, and that may dispend Clearelye aboue forty pounds yearelye, and hathe a convenient mansion house to keepe his residence in. A.D. 1559. 10 Aug.

14. Item, they shall laye in Quier two bibles in Englishe of the largest sorte and volume for the ministers to use, and two other of the like sorte in the bodye of the churche in such meete and convenient place as every other person cominge thither may have recourse to the same; and one booke of paraphrases in Englishe in the body of the churche and an other in the quier.[1]

15. Item, they shall give and bestowe the benefices beinge of the patronage of the churche to honest and learned men, and in noe wise to onerate the same with anye pension to be reserved, or anye other charge which hathe not bin vsed to be paide heretofore.

16. Item, they shall cause every yeare an Inventary Indented to be made att the tyme of the makinge of there generall accompts of all and singular vestiments, ornaments, Jewells, plate, mony and other mooveable goods belonginge to theyr churche, the one parte of the same to remayne in the custodye of the Deane and the other in the common hutche.

†17. Alsoe in the Cathedral Church every Prebendary resident and every other Prebendary not resident havinge a prebend to the yerelye value of twenty pounds and every of other which have anye dignitie there, in order and course every Sundaye shall preache or cause to be preached the Word of God purely and sincerely in the same churche.§ And the Deane for his dignitie and

† H. 110b.

§ [On *Preaching Turns*, see below, pp. 386 *n*, 387, 428 *n*, 430, and *s.a.* 1888–90.]

[1] The churchwardens of St. Thomas's paid 13*s.* 4*d.* for their copy of Udal's translation of the Paraphrases of Erasmus on the Gospels and Acts, for the nave of their church in 1560-61, but those of St. Edmund's—"rendered cautious by the frequent changes they had seen," as Mrs. Straton observes—"were content to pay 18*d.* . . . 'for the lone of a book namyd the pharasyres.'" *Churchwardens' Accounts* (Wilts. Record Soc. 1896), pp. xxxvii. 105, 281.

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prebend shall preache or cause to be preached two sermons everye yeare in the same church, that is to saye uppon Christmas Daye and one other uppon Easter Daye and keepe his course in preaching with the other Dignities and Prebendaries.

18. Item, that the common seale shall be surely kept under three keyes whereof the Deane to have one, and the other two to remaine in the custodie of two Prebendaries residente.

19. Alsoe that all the single canons and vicars, such as be not able to studye by themselves, shall daylye at all times vacant before noone, and after noone (the service time onely excepted) resorte unto the Grammar Schoole, and there learne such things whereby they may afterwards be more able to serve God and the common wealth.

20. Item, they shall have weakelye at the leaste thrice every weake a lecture of divinitie in Englishe within your churche, to be reade at 9 of the clocke in the forenoone, in the most convenient place as hath bin accustomed openlye soe that all people may come to it. And that the Chancellor of the church shall appointe some learned man to reade it, and shall give unto him xx pounds in yearlye stipende, or els reade the same lecture himself; and that all the canons, prebendaries, and other common ministers of this churche, savinge daye laborers, shall be present at every lecture, unlesse that it be knowne that they kepte theyr house for sickness. And for default of the same, every canon and prebendary to forfeit *four pence*, and every vicar *one penny*, to be employed in the worke of the churche.

21. Alsoe that every prieste within the church, under the degree of Batchelor of Divinity, shall have at leaste of his owne the whole Bible in Englishe and Latine, and the Paraphrases of Erasmus.[1]

22. Item, that the ordinarie for the time beinge, shall, at all times conveniente, call the canons and vicars of theyr churche before him and examine them how they

[1] Cf. No. 8, on pp. 371–2, above. The articles 1–21, here preceding, correspond generally with the general Injunctions to the Clergy, 1547.

proffit, and how they spende theyr time, and punishe such as he shall finde negligent "*pena pecuniaria*," to be employed in the work of the churche. A.D. 1559. 10 Aug.

23. ALSOE that none be admitted to anye ministrye but he shall first subscribe, as well unto such orders as shall be appointed by the Queenes Majestie, or anye her Graces commissioners, as well unto the articles appointed to be confirmed unto them by this visitation, as to articles "*susceptæ religionis*" sett forthe in this visitation.[1]

24. ITEM, that none such to be officer of your house or within your churche as be knowne open enemies to the Worde of God, or common talkers, mutterers, and grudgers against the Gospel of Christe, and the religion nowe sett forthe by Acte of Parliamente, but if anye such bee you shall see him duly corrected, and he to be obstinate willful and will not subscribe, then let him be expulsed and removed, and one that is more godlye and virtuous sett and placed in his roome.

The scribe writes "*susceptæ*" here with a diphthong, but "*pena*" (in Art. 22) with a simple "*e*."

25. ALSOE whereas the choristars, after their voices be changed, have not provision to mayntayne them to the Grammar Schoole, but were appointed altarists § to ringe the bells and to doe such other service as had a yearely stipende,—Be it nowe ordered that the choristars, as soone as theyr voice beginnes to change, shall have the full stipend of the Altarist, and meate and drinke provided, that they may dilligentlye and dulye goe to the grammar schoole.

§ [On *Altarists*, see note on p. 379, below.]

26. ITEM, that the provision of them should not hinder the keepinge cleane of the churche, ringinge of the bells, and such other service thereto belonginge,—It is ordered that three able men shall be appointed by the Treasurer, and two others by the masters of the work, to doe the aforesaid business of the churche and have the accustomed stipend of the altariste.

27. ITEM, yt is ordered that noe laye vicar,[2] or other vicar, married or unmarried, shall inhabit out of the Close

[1] For a form of Subscription to the "Settlement of Religion" (*susceptæ religionis*), Dr. Frere, *Visitation Articles*, iii. 131, refers us to Dr. H. Gee's *The Elizabethan Clergy*, p. 77.

[2] On *Lay Vicars*, see note on p. 359.

A.D. 1559. of Sarum, uppon paine of losse of his roome or vicarshippe.

10 Aug. 28. ITEM, that every laye vicar shall (yf he will) without lett of the other vicars be in commons with the other vicars in the common hall, paying xvid. a weeke, And being absent, and not in commons, shall paye for contribution to the same commons weekelye 2d., to be taken upp by the commoner of his yearelye stipende of 8*l.* 13s. 4d. And every the other vicars that be of the corporation, and not in commons, shall paye weekelye 4d., besides losse of his divident.

29. ALSOE, for the due exercisinge of common prayer, be it ordered, that the minister, which is tabled[1] for the weeke to begin the common prayer in the quire, shall the next weeke followinge everye morninge from the first daye of Aprill untill the last daye of September at *five* of the clocke after the bell is runge, and from the last daye of September untill the first daye of April at *six* of the clocke, use common prayer in this forme followinge:— First, the generall confession with the absolution, then the Letanie untill this verse "*O Lord arise*, &c.," before the which[2] shall be read one chapter of the New Testament in order, and then the rest of the Letanie with all suffrages followinge.

30. ITEM, be it further ordered, that the schoolmaster with the usher and all the scholars belonginge to the Schoole, shall be present at the same service in the mornynge. And for the due execution of the same, one of the Canons Residentiaries shall be present in his owne person in order, uppon the peine of the losse of 4 pence for every defaulte, to be employed to the worke of the said Cathedral Church of Sarum.

[1] "Tabled": *intabulatus*, his name entered on the board (*tabula*) or list, which in early days was coated with wax, after the ancient Roman manner.

[2] As this direction for Cathedrals required a lesson to be read at this point in the prayers at the end of the Litany, it is evident that it was understood in 1558 that the long prayer, "*O God, merciful Father, that despisest not*," should end with an "*Amen*," in the natural manner. Also that "*O Lord, arise, help us . . . for Thy Name's sake*" belongs rather to the curtailed Psalm xliv. (*Deus, auribus*) than to what preceded it.

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31. Alsoe, for the mayntayninge of the houses decayed, and for the good observation of the statutes of the same, be it ordered that every Canon havinge a prebend of *ten pounds* and upward shall provide himselfe within the Close of Sarum a mansion house, and sufficientlye repaire the same, paying therefore yearlye noe more but the ould accustomed rent. And all the Prebendaries under the rate of *ten pounds*, repairinge to this Cathedral Churche, shall provide for themselves to be lodged within the Close, and none to lodge within the towne, uppon payne of *six pence* for every defaulte, to be employed in the worke of the churche.

32. Item, by cause the Prebendaries shall have the more conscience to discharge theyr corporal oathe taken, by the which they binde themselves to observe the statutes of this churche, and the Queenes Injunctions;—Be it ordered, that all and every Prebendary of this churche shall together be present here at the Feaste of Whitsuntide, and soe continue *eight dayes*. In the which tyme the Statutes and Ordinaunces of this churche, and all other the Queenes Majesties Injunctions shall be solemnelye reade in the Chapter House, where they shall consulte for the execution of the same. And that every Prebendarye makinge defaulte as to the same, shall, by the censure of the Deane and Chapter, be denounced excommunicate, and soe remaine untill he make his personall answer, and declare a just cause of his absence. All which Injunctions they shall inviolably observe under the paines of deprivation or sequestration of theyr fruits, revenues, and other commodities, untill they have done theyr duties as they be bounde in the same.

These Injunctions, with other imprinted, were delivered unto the said Deane and Chapter and other Ministers of the Churche by us the Queenes Majesties Commissioners under written the tenth daye of August, in the first yeare of the reigne of oure Soveraigne Ladye Elizabeth by the grace of God of England, Fraunce, and Ireland Queene, Defender of the Faithe, &c., in the Chapter House there.

A.D. 1559. 10 Aug.

And wee the said Commissioners in testimonie thereof have hereunto subscribed our names.

JOHN CHEYNNE. JOHN JEWEL.[1]
WILLIAM LOVELACE. HENRY PARRY.[2]

[1] Dr. John Jewel, who signed these Injunctions as Royal Commissioner in the West of England, on 10th August, 1559, was elected Bishop of Sarum a few days later, 21st August. He had been Archdeacon of Chichester in the year 1551, and was only recently appointed Public Orator at Oxford, when Queen Mary was proclaimed in July, 1553. He fled to Frankfort, Strasburg, and at Zurich became Hebrew professor. On the accession of Queen Elizabeth he reached England in March, 1559. He died at Monckton Farley, after preaching at Lacock, 23rd September, 1571.

By his will made on 22nd September and proved on 10th November, 1571, Bishop Jewel left his "weary body . . . to be interred . . . in our Lady's Church of Sarum. . . . Unto my good lord [Gilbert Berkeley] the Bishop of Bath and Wells, a walking-staff trimmed with silver. To the poor of Salisbury, 100 marcs; to the cathedral church for repairs, £20." We have not as yet found the accounts for 1571–2, but the library buildings, so far as they have survived from the alterations of the eighteenth century, give no colour of truth to the first clause of an inscription which is said to have been at one time visible, so far as it relates to Jewel: "Hæc bibliotheca extructa est sumptibus Reverendi Patris et Domini Domini Johannis Jewell, quondam Sarum episcopi; instructa vero libris a Reverendo in Christo Patre Domino Edmundo Gheast, olim ejusdem ecclesiæ Episcopo; quorum memoria in benedictione erit A.D. 1578." The late Bishop, Dr. John Wordsworth, wrote: "Probably *bibliotheca* only means 'book-case' here." As to the disposal of Bishop Jewel's own library and of his consenting to send to Archbishop Parker an A.S. MS. of King Alfred's version of St. Gregory's *Pastoral Care* from "our poor library of Salisbury" in January, 1568–9, the Rev. J. B. McGovern and others have contributed notes to *Notes and Queries*, 11 S. ix. (1914), pp. 401–3, 441–3, 473.

[2] H. Parry, Licentiate in Laws, was Chancellor of Sarum, 1547–55, and again from 10th Oct., 1559, till 1571. He was also Chancellor of the Diocese, 1551–53. W. Lovelace was a lawyer. William, Earl of Pembroke, was at the head of this Commission, which was appointed 19th July, 1559.

Notes on the form of the Oath taken by Canons and Dignitaries at the Reformation period, from 1535 to 1583, are collected in XVIIth-century handwriting on ff. 83 and 84 in the latter part of MS. *E*. Thus H. Parry, in 1548, on admission to residence, takes an oath "renunciando Romano Episcopo, quam etiam alio juramento de observando *fundationes* et *ordinationes* dictae Ecclesiae." The Prebendary of Torleton, 2nd March, 1553–4, promised to observe "*statuta* ac laudabiles dictae ecclesiae *consuetudines*." In 1559, 7th March, Bishop Jewel promised to observe "*fundationes*, *ordinationes*, *statuta* ac laudabiles *consuetudines*." On 19th June, 1583, the qualifying clause appears: "*quatenus iuri diuino* vel *legibus et statutis* huius regni Anglie non aduersantur." "*Cum verbo Dei* et *statutis* ac *legibus regni Angliae*

consentiunt." This clause may have been suggested by the Royal Injunctions of 18th January, 1535-6 (p. 360, *supra*). Cf. also those of 10th August, 1559, No. 12 (p. 372) for the latter part respecting the "lawes and statutes of this realme." In art. 7 of the interesting set of Injunctions by Bishop Guest, given 4th June, 1574, and included by Dr. Frere in *Visitation Articles*, etc. (Alcuin Club, 1910), iii. 367–9, it appears to have been alleged (although the Chapter pleaded "not guilty") that at Salisbury "there be many Statutes, even of those taken under oath, and which be contrarient neither to the Word of God nor yet to the Laws of this Realm of England, which nevertheless are not by you observed, to wit, the Statute which bindeth the Dean and the President of the Chapter to declare the statutes unto all men concerning their duty at their admission. The statute providing for the keeping of the Chapter. The statutes for letting of lands, for keeping and preservation of woods, for electing of choristers and ordering of the lands. The statutes for edifying and repairing the houses belonging to the canons. The statute which begins '*Ne per ignorantiam*' (Mortival's Code, c. xi., p. 170, *supra*), and those of the keeping of the Charters and other muniments of the Church" (*id.*, c. x., p. 168).

Shortly before Bishop Guest's visitation of the Chapter, Dean J. Piers, with T. Lancaster, the Archbishop of Armagh, then Treasurer, and four other Residentiaries in Chapter, inspected the Book of Ceremonies and Processions (MS. 148), and finding therein many things superstitious and contrarient to the Word of God and the Laws of this Realm, did order such particulars to be utterly abrogated, 17th October, 1573. That MS. they called a "Statute Book," because it contained forms of admission, Oaths of Canons and Officers of the Cathedral, the Order of the Daily Psalter of the Prebendaries, and the Obit Kalendar, which regulated the Communar's and Procurator's disbursements, as well as certain special customs and ceremonies of the Cathedral Church. The fact that the book has been so inspected is recorded also in our MS. E. by the same notary (W. Blacker), but in such terms as to show that he is speaking not of Statute Book E. itself. Cf. *Salisbury Processions*, 1901, pp. 138–9, contrasted with *Hist. MSS. Report*, iv. 1907, p. 4.

Note to Page 375.

Mention has been made of Altarists on p. 375. They appear to have been clerks in minor orders, and to have been ranked in two classes, as "*intrinseci*" and "*extrinseci*." Presumably the inside altarists (who ought to be six in number) were attached as clerks or servers to certain altars, probably those which stood in the inner choir, and they were expected to prepare and serve these altars and to answer the priest at masses celebrated by those priest-vicars who had regular masses there assigned to them. In October, 1526, the Dean's *locumtenens* appointed vicars to sing the *missae currentes* in order of merit, *i.e.* according to their regularity in the previous year. The vicars' stipends for these masses varied from 47*s.* 8*d.* to 30*s.* 4*d.* per annum in 1543. Probably the outside altarists were attached to altars in the nave or else in the "outer choir." In 1475, at Bishop Beauchamp's visitation, it was alleged that the altarists were bound, when called by the "sacryters," to ring the bells on holy-days for nones and evensong,

CONGREGATIO CELEBRIS IN FESTO PENTECOST. 1560.

[Holt Register (*vol.* xx.), *fol.* 61, *al.* 121.]

A.D. 1560.

FACTA celebri congregatione dignitatum et Prebendariorum Ecclesie Cathedralis Sarum in domo Capitulari per integram hebdomadam Pentecostes iuxta Iniunctiones regias,[1] hec inter cetera facta et decreta fuerunt, presentibus tunc ibidem dignitatibus, canonicis residen', et alijs prebendarijs, quorum nomina in singulis actis subsequen' inseruntur.

Saturday, June 1, 1560.

Die Sabbati primo die mensis Junij A.D. 1560° in domo capitulari Ecclesie Cathedralis Sarum inter horas ix^am^ et xi^am^ ante meridiem eiusdem diei, coram Mag'ris Henrico Parry Cancellario ecclesie Cathed. Sarum, presidente Capituli, Ricardo Chaundler Archid. Sarum et Thoma Lancaster Thesaurario eiusdem ecclesie cathedralis Sarum canonicis residen', capitulariter congregatis et capitulum facientibus, Reverendus in Christo pater et dn's dn's Johannes, permissione divina Sarum Episcopus, tunc et ibidem prius pecijt se in canonicum prebendarium et confratrem eiusdem ecclesie Cathedralis Sarum racione prebende sue de Potterne, dignitati Episcopali Sarum annexe, iuxta antiquas obseruationes et consuetudines dicte ecclesie Cathedralis Sarum admitti, quem iuramento solito et consueto onerauerunt; quod Juramentum dictus Reverendus pater, salua protestatione per eum antea (vt asseruit) facta, se observaturum

as well as to be in time to ring for mattins. (*Salisbury Processions and Ceremonies*, pp. 155–6.)

In the Communar's Roll for 1543 there is mention of a clerk of St. Stephen's altar, and of an Altarist of the Apostles (*i.e.* St. Peter's altar). But even as recently as 1637 (and probably until the breaking out of the Civil War) under "Commons of 14 Vicars, the Choristers and other Ministers," payments were entered for 5 altarists (SS. Martin's, Lawrence, Catherine, Mary, and Apostles) at 6*s.* 8*d.* each, but with an additional 4*d.* apiece to them and to the choristers (collectively), and each of the two Sacrists "*pro le* O." Communar's clerks and others had forgotten the origin of this payment, so that we find in 1526 (the year when Henry Lawes became a Gentleman of the Chapel Royal) such entries as 'To Mr. Lawes ex gratia, xs. To Mr. Lawes, Altarist cum leo, vs. ixd.' He and six others besides the Boys would have received 4*d.* less had they not been successors, in a conservative body, of the singers of the 'Great Oes' in *O Sapientia*-tide. (See above, pp. 204–7, *notes.*) Mr. G. Freemantle, now the principal Verger, Sacrist (or Church Sexton) and Clerk, was appointed an Altarist by the Community of Vicars, in succession to Mr. H. Stanley, Lay Vicar, in 1870.

[1] See No. 32 among Royal Injunctions of Aug., 1559 (printed on

FULL CONGREGATION ON THE FEAST OF PENTECOST, 1560.

AT a full Congregation of the Dignitaries and Prebendaries of the Cathedral Church of Salisbury, in the Chapter House, during the entire week of Pentecost, in accordance with the Royal Injunctions,[1] these among other things were done and decreed, there being present then and there the Dignitaries, Residentiary Canons, and other Prebendaries, whose names are subsequently inserted in the several Articles.

On Saturday, the first day of June, A.D. 1560, in the Chapter House of the Cathedral Church of Sarum, betwixt the hours of nine and eleven in the forenoon of the same day, before Masters Henry Parry, Chancellor of the Cathedral Church of Sarum, presiding over the Chapter, Richard Chandler, Archdeacon of Sarum, and Thomas Lancaster, Treasurer of the same Cathedral Church of Sarum, Canons residentiary, assembled in Chapter and making a Chapter, the Reverend Father in Christ and Lord John, by Divine permission Bishop of Sarum, did then and there first make request that he should be admitted to be Canon, Prebendary and Co-brother of the same Cathedral Church of Sarum, in respect of his Prebend of Potterne annexed to the episcopal dignity of Sarum, according to the ancient observances and customs of the said Cathedral Church of Sarum, on whom they imposed the usual and accustomed oath; which oath the said Reverend Father (without prejudice to the protestation already, as he stated, made by him, That he would observe the contents of the said oath, which are not

p. 377). This meeting (held day by day from June 1st to 8th in 1560) was the first "Pentecostal Chapter," strictly so called, that was held in pursuance of the aforesaid Injunction of Queen Elizabeth. "Pentecostal *Visitations*" appear to have been held annually at Wells, *cir.* 1581–1612. H. E. Reynolds, *Wells Cathedral* (1881), pp. clviii., clix. The name applied to meetings in June, 1560, is *congregatio* in our text. This Pentecostal assembly is, however, called also a *Capitulum* (*e.g.* on p. 388), and those present are said to have "assembled Chapter-wise and making a Chapter." At Lincoln such a *generale capitulum* of all the canons, non-resident as well as resident, is styled a *convocatio* in Lincoln documents *cir.* 1440–42. (See *Linc. Cathedral Statutes*, ii. pp. ciii., clxvi.; iii. 269, 270, 443, 444 *marg.*, 447, 453, 501.)

A.D. 1560. 1 June. contenta in eodem juramento, que juri diuino vel legibus et statutis huius regni Anglie non aduersantur, prestitit. Vnde idem presidens et Capitulum eundem Reverendum patrem in canonicum et confratrem dicte ecclesie cathedralis Sarum, iuxta consuetudinem in ea parte hactenus observat*am* admiserunt.

§ prefat' dn's Ep'us: MS. Deinde prefato Domino Episcopo,§ vnacum Presidente et canonicis residen' predictis capitulariter, ut prefertur, congregatis, ac capitulum facientibus, comparuerunt Rob. Ryve, preb. de Bytton, Joh. Fawley, preb. de Chesingbury et Chute, Jheronimus Barnabe, preb. de Netheraven, et Robertus Mody, preb. maioris partis altaris, ceteros, dignitates, residentiarios, et prebendarios absentes, publica trina vice nominatim preconisaverunt, et nulla ratione comparentes pronunciaverunt contumaces, et in penam contumaciarum suarum decreuerunt procedendum, &c., et continuarunt capitulum de die in diem vsque in diem Sabbati sequentem.

5 June. Die Mercurii, viz; quinto die mensis Junii predicti A.D. supradicto in dicta domo capitulari eccl. Cath. Sar. inter horas ix^{am} et x^{am} ante meridiem eiusdem coram venerabilibus viris Magris Henrico Parry Cancellario et Presidente Capituli,[1] Ricard. Chaundler, Arch. Sarum, Thoma Lancaster, Thesaurario, et Leonardo Bylson, canonicis residentiariis dicte eccl. cathedralis Sarum capitulariter congregatis ac capitulum facientibus, comparuerunt personaliter Magri Thomas† White, Archd. Berks. et preb. de Yattesbury; Walterus Wright, Preb. de Grauntham Boreali; Rob. Ryve, Preb. de Bytton; Ricardus Reade, Preb. de Dorneford; Joh'es Jeffrey, Preb. de Husburne et Burbage, Thomas Mynthorne, P. de Yatmister prima; Rob. Mody, P. maioris partis altaris; Stephanus Templer, P. de Stratford; Thomas Key, Preb. de Stratton; Thomas Securis, Pr. de Bemyster 2da; Joh. Fawley, Preb. de Chesingbury et

† *Holt*, 122.

[1] The Bishop (J. Jewel) was not present at this meeting of the Pentecostal Chapter on Wednesday, June 5th, 1560. He had been

opposed to the Divine law or to the laws and statutes of this Realm of England) did take. After which the same President and Chapter admitted the same Reverend Father "to be Canon and Co-brother" of the said Cathedral Church of Sarum, according to the custom in that behalf hitherto observed.

Then the aforesaid Lord Bishop, together with the President and resident Canons, being assembled, as before rehearsed, in Chapter and forming a Chapter, there appeared Robert Ryve, Prebendary of Bytton; John Fawley, Prebendary of Chessyngbury and Chute; Jerome Barnabe, Prebendary of Netheravon; and Robert Mody, Prebendary of Major Pars Altaris; who did thrice publicly by name preconize the remainder (whether Dignitaries, Residentiaries, or Prebendaries); and those that were absent for no reason they pronounced contumacious, and for punishment of their contumacies decreed procedure to take place, etc., and continued the Chapter from day to day until the Saturday following.

On Wednesday, the fifth day of June aforesaid, in the year of our Lord aforesaid, in the said Chapter House of the Cathedral Church of Salisbury, between the hours of nine and ten in the forenoon of the same day, before the venerable Masters Henry Parry, Chancellor and President of the Chapter; Richard Chandler, Archdeacon of Sarum; Thomas Lancaster, Treasurer; and Leonard Bylson, Canons Residentiary of the said Cathedral Church of Sarum, assembled in Chapter and making a Chapter, there appeared personally Masters Thomas White, Archdeacon of Berks and Prebendary of Yattesbury; Walter Wright, Prebendary of Grantham Borealis; Robert Ryve, Prebendary of Bytton; Richard Reade, Prebendary of Derneford; John Jeffrey, Prebendary of Husburne and Burbage; Thomas Mynthorne, Prebendary of Yatminster Prima; Robert Mody, Prebendary of Major Pars Altaris; Stephen Templer, Prebendary of Stratford; Thomas Key, Prebendary of Stratton; Thomas Securis, Prebendary of Bemyster Secunda; John Fawley, Prebendary of Chesingbury

installed as Prebendary of Pottern on Saturday, June 1st (see preceding page).

A.D. 1560. Chute; et Symon Harbyn, Preb. de Netherbury in terra; —factaque trina vice publica preconizatione pro ceteris dignitatibus et prebendarijs dicte Ecclesie cathedralis Sarum, ipsisque non comparentibus d*omin*us Presidens pronunciauit eos, et quemlibet eorundem, contumaces, et in penam contumaciarum suarum huiusmodi, decreuerunt, statuerunt, et ordinauerunt, prout articulatim inferius sequitur:—

(A) Imprimis, quod pensiones, et procurationes Decano et Capitulo dicte ecclesie cathedralis Sarum debite per archidiaconos huius diocesis in singulis eorum archidiaconatibus de cetero colligentur. Et quod habeant literas procuratorias sufficientes ad hoc faciendum. Ac percipient, pro eorum in hac parte labore, singuli Archidiaconi predicti vjs. viijd.

(B) Item, quod quilibet Prebendarius huius ecclesie cathedralis, tempore Installationis sue, soluat pro capa summam pecuniarum pro eadem Capa hactenus iuxta antiquam consuetudinem solui consuetam, aut ad hoc faciendum cautionem sufficientem exponat. Et quod prebendarij qui adhuc pro suis capis non soluerunt summas pro eisdem ab antiquo taxatas, citra Festum S. Bartholomei Apostoli proxim. futurum soluant seu solui faciant; aut lapso illo die, quod tunc citentur per affixionem mandati in stallis prebendarum suarum ad comparendum certis diebus et locis sibi assignandis, certis articulis premissa concernentibus personaliter responsur'.

(C) Item, quod domus et tenementa infra clausum Sarum scituata ad ecclesiam cath. Sarum spectantia, de cetero primo locentur prebendarijs huius Cathedralis Ecclesie si eas habere voluerint, alioquin ministris dicte ecclesie et non extraneis, prout Decano et Capitulo visum fuerit. Et si aliquis communarius, prefectus fabrice, seu alius officiarius Decani et Capituli seu vicariorum choralium, dicte * ecclesie cathedralis, post festum Natiuitatis S. Johannis Baptiste proxim. futurum, aliquam

* *Holt*, f. 62 = p. 123.

and Chute; and Simon Harbyn, Prebendary of Netherbury in Terra: And after preconization for the other Dignitaries and Prebendaries of the said Cathedral Church of Sarum, thrice publicly made, and they not appearing, Mr. President pronounced them and every of them contumacious, and for punishment of such their contumacies they decreed, enacted, and ordained as follows below, article by article.

(A) *Imprimis*, that the payments and procurations due to the Dean and Chapter of the said Cathedral Church of Salisbury by the Archdeacons of this diocese in their several Archdeaconries shall hereafter be collected, and that they cause to be made letters procuratorial sufficient for the purpose. And each of the aforesaid Archdeacons, for their trouble in this behalf, shall receive six shillings and eight pence.

(B) *Item*, that every Prebendary of this Cathedral Church, at the time of his installation, do pay, instead of a cope, a sum of money hitherto, according to ancient usage accustomed to be paid in lieu of the same cope, or else do pay sufficient caution for the performance of this. And that the Prebendaries who hitherto have not paid in lieu of their copes sums for the same as assessed of old, do pay them or cause to be paid before the Feast of St. Bartholomew the Apostle next coming. If, however, that day shall have lapsed, then let them be cited by fixing a mandate on the stalls of their prebends for their appearance on certain days and at certain places to be assigned to them, ready to answer personally to certain articles concerning the premisses.

(C) *Item*, that the houses and tenements situate within the Close of Salisbury, belonging to the Cathedral Church of Sarum, be henceforth let in the first instance to the Prebendaries of this Cathedral Church, if they will have them; otherwise to the Ministers of the said Church, and not to strangers, according as the Dean and Chapter shall determine. And if any Communar, Superintendent of the Fabrick, or other Officer of the Dean and Chapter, or Vicars-choral of the said Cathedral Church, after the Feast of the Nativity of St. John Baptist next coming,

A.D. 1560. domum siue aliquod tenementum contra huiusmodi ordinationis effectum locauerit et dimiserit, quod tunc idem communarius, prefectus, vel officiarius predict', in duplici summa totius annualis redditus illius domus vel tenementi pro qualibet anni parte concessionis et dimissionis huiusmodi, in vsum fabrice ecclesie cathedralis predicte convertendum mulctetur.

(D) Item, quod singulis annis futuris in hebdomada pentecostes computus pensionum ac summarum pecuniarum pro capis et legatis huius ecclesie illo anno receptarum, publice in domo capitulari, dum maior residentiariorum et prebendariorum multitudo ibidem affuerit, legentur et examinentur.

(E) Item quod quilibet Prebendarius predicte ecclesie Cathedralis cuius prebende fructus in libris regiis ad valorem annuum decem librarum extendunt, et non excedunt taxationem quadraginta librarum, vnam contionem faciat seu fieri procurabit, et cuius fructus secundum estimationem predictam ad 40 libras extendunt et non excedunt 60 libras, duas contiones. Ac singuli dignitates vel Archidiaconatus in prefata ecclesia cathedrali obtinentes, duas conciones singulis annis facient, fierive procurent. Et quod quilibet huiusmodi contiones, diebus sibi assignandis, non facientes fierive procurantes pro prima vice in summa 10 solidorum, pro secunda vice in 20 solidorum summa, ac sic deinceps totiens quotiens, in vsum fabrice prefate Ecclesie cathedralis applicanda, mulctetur. Vtque huiusmodi statutum et decretum in futurum melius obseruetur, ordinaverunt, quod ordo contionum huiusmodi in tabulis scribetur, et in qualibet parte chori affigetur.[1]

(F) Item in reparationem turris alte dicte ecclesie

[1] The earliest notice, that as yet has been met with, of the "preaching turns" of the Canons, is in the Holt Register (*fol.* 44) under date April 8, 1555 (1 & 2 Philip and Mary). There were then present in Chapter, the Bishop (John Capon); Thomas Benet, Precentor and

shall have let and demised any house or tenement contrary to the effect of such ordinance, the same Communar, Superintendent, or Officer aforesaid shall be mulcted in double the sum of the annual rent of that house or tenement for every year or part of a year covered by such grant or lease, to be converted to the use of the fabrick of the said Cathedral Church.

(D) *Item*, that in every coming year in Whitsun-week the reckonings of payments and sums of money received in that year for copes and legacies pertaining to this Church shall publicly in the Chapter House, when the greater number of the Residentiaries and Prebendaries are there present, be read and examined.

(E) *Item*, that every Prebendary of the aforesaid Cathedral Church the fruits of whose prebend extend in the King's Books to the yearly value of ten pounds, and do not exceed the assessment of forty pounds, shall preach, or procure to be preached, one sermon; and he whose fruits, according to the aforesaid estimation, extend to forty pounds and do not exceed sixty pounds, two sermons. And all who hold dignities or archdeaconries in the aforesaid Cathedral Church shall preach, or procure to be preached, two sermons in every year. And every one not preaching, or procuring to be preached, such sermons on the days to be assigned to them, shall be mulcted in the sum of ten shillings for the first time, for the second in the sum of twenty shillings, and so on, *totiens quotiens*, to be applied to the use of the fabrick of the aforesaid Cathedral Church. And, in order that such statute and decree should in future be better observed, they ordained that the order of such sermons should be written on boards and fixed up on each side of the choir.

(F) *Item*, for the repair of the high Tower of the said

locum tenens of the Dean; William Geffry, Chancellor; Thomas Heskyns; and Thomas Norman. The Bishop and Canons Residentiary decreed: "quod in futurum quilibet Dignitas, Archidiaconus, et Canonicus prebendarius dicte ecclesie concionabit in ordine in dicta ecclesia iuxta formam cuiusdam tabule in choro dicte ecclesie pendentis sub pena cuiuslibet delinquentis tociens quociens x. *s.* fabrice dicte ecclesie applicandorum." (*J.*)

A.D. 1560. cathedralis, iam maximam ruinam spectantis,[1] ordinauerunt, quod quilibet dignitatem vel prebendam in hac ecclesia obtinens, citra Festum Omnium Sanctorum proximum, 12 denarios pro qualibet libra annui valoris huiusmodi dignitatis vel prebende, decimis et subsidijs deductis, soluent seu solui facient.

(G) Item, quod quilibet dignitatem vel prebendam in hac ecclesia possidens, qui stipendium vicarij sui in eadem ecclesia proes ministrantis debito modo non soluerit, citetur per affixionem mandati in stallis suis ad comparendum certis diebus et locis ad dicend' causam quare huiusmodi stipendia soluere neglexerunt.

(H) Item ordinarunt, quemlibet canonicum, dignitatem et prebendarium dicte Ecclesie in hac hebdomada Penthecostes juxta regias Injunctiones non comparentem, citandum fore, per affictionem mandati in eorum stallis, † ad comparendum primo die mensis Octobris proxim. futuro.

† *Holt*, p. 62[b] = p. 124.

Et sic continuarunt capitulum de die in diem vsque in finalem expeditionem eiusdem.[2]

[1] "Nonis Maii summa turris ecclesiæ meæ Sarisberiensis ita non tacta sed concussa est de cœlo, ut a fastigio ad xl. cubitos rina perpetua duceretur: tu vide nam quidnam in ea[re] sit diuini (*al.* diri) ominis. Ego forte nondum eo veneram: quod si venissem, vt sunt hominum mentes superstitiosæ et fatuæ, omnis illa clades coniecta fuisset in aduentum meum." *Jo. Juellus* [Ep. Sar.] (Londini, 22 Maii, 1560) *ad Pet. Martyrem*, Tiguri. (*Works of Jewel*, ed. J. Ayre, iv. p. 1232; *Epp Tigur.*, i. 46.) For a translation, see note [3].

[2] The rest of this record of the first "Pentecostal Chapter" is taken up with a declaration of the contumacy of the Canons who were absent without valid excuse, and settling the mode in which the "Communar" and the Master of the Fabrick should give their accounts of receipts and expenditure. (They were to open each year with an account from the Vigil of St. Andrew (29th November) to Candlemas (2nd February) following, and for the remainder of the year to make the account for every week.) The "Chapter" was held from day to day, and finally dissolved on Saturday, the 8th day of June, 1560.

June 1st–8th, 1560.

[3] Bishop Jewel wrote from London on 22nd May, 1560, to P. Martyr at Zurich: "On the 7th of May the great spire of my cathedral at Salisbury was, not merely struck, but so shattered by lightning that a continued fissure was made from the top for sixty feet [*al.* 'forty cubits'] downwards; consider whether there is anything ominous in this circumstance. It so happened that I had not yet arrived there: had I done so, so foolish and superstitious are men's minds, that all this mischief would have been ascribed to my coming. . . . However, I am going there to-morrow." (*Zurich Letters*, i. p. 78.)

[4] The PENTECOSTAL CHAPTER, or "*Senatus Ecclesiasticus*," as it was called by Bishop Jewel in 1560 (*H.*, f. 90), was considered by Dean J. Gordon, in the time of Bishop Ro. Abbot, *cir.* 1616, to be the proper body to consider the revision or confirmation of the Statutes or

Cathedral Church, now threatened with entire ruin,[3] they ordained that every one holding a dignity or prebend in this Church, before the next Feast of All Saints, should pay, or cause to be paid, twelve pence for every pound of annual value of such dignity or prebend, after tithes and subsidies had been deducted.

(G) *Item*, that all holding a dignity or prebend in this Church who shall not have duly paid the stipend of their Vicar ministering in the same Church, shall be cited by the affixing of a mandate in their stalls for their appearance on certain days and at certain places, to state the reason why they have neglected to pay such stipends.

(H) *Item*, they ordained that each and every Canon, Dignitary and Prebendary of the said Church not appearing in this Whitsun-week according to the Royal Injunctions, shall be cited by the affixing of a mandate in their stalls for their appearance on the first day of October next coming.

And thus they adjourned the Chapter from day to day until its business was at length concluded.[4]

Ordinances and Customs of the Cathedral, particularly those of 1222, 1428 and 1440 (see MS. *H.*, pp. 10, 11). Bishop Davenant in 1630 and in 1661 Bishop Henchman made reference to the large or full assembly of residentiaries and non-resident Canons together (see p. 500). Bishop Fisher in 1813 held a Pentecostal Chapter, and the Dean (the Very Reverend Henry Parr Hamilton) and residentiary or "Close" Chapter wrote to the Cathedral Commissioners in June, 1853, unanimously desiring "That the large chapter meet under the presidency of the dean, his *locum tenens*, or the president of the chapter every Whitsuntide. That all chapter accounts be submitted to them. That an appeal may lie to them on all matters connected with the chapter and its officers, and the grammar or choristers' school. That they have the disposal of any monies set apart . . . for the support of schools and other parishes where the dean and chapter have property, or for assisting charitable works in other parts of the diocese." (*Cathedr. Comm. Report*, App., p. 611.) As Canon Jones observes (*Fasti*, p. 257), this recommendation was made at a time when there were already many prebends disendowed under the Act of 11th August, 1840 (2 & 3 Vict.). Bishop Walter K. Hamilton, who had (while he was Precentor) drafted the letter to the Commissioners, strongly recommended the restoration of the Pentecostal Chapter in his open Letter to his Diocese in 1864, and it has been summoned by Dean Boyle and his successors. It has been suggested (the *Guardian*, 2nd March, 1887; *Salisbury Journal*, 5th March) that the annual meeting is obligatory under the order of 1560, and that the proposal of the Commissioners of 1887 was intended to provide for additional meetings if urgent occasion should arise.

BISHOP JEWEL'S ARTICLES, ETC.

A.D. 1562.

April, 1562.

(Regist. *Blacker*, p. 144 (with Answers returned to them by the Canons).)

ARTICLES ministered by the Reverend Father in God John, Bushopp of Sarum, in his ordinary Visitation of his Cathedral Churche of Sarum, to the dignities, prebendaries, vicars, and other ministers of the said Cathedral Churche of Sarum.

1. First, whether *Statutum domini Rogeri Episcopi Sar'* de rebus ecclesiasticis conseruandis, quod incipit "*Ne per ignorantiam*" [*vide supra*, s.a. 1319, No. xi. p. 170] be well and trewly kept and obserued or no.

[Answer: 6th April, 1562.] (To the first article we say that the same ys in no parte observed aswell in the faultte of the Bushoppes as of the Deane, the Cannons Residentes and other Cannons at large.)[1]

[See pp. 156–159.] 2. *Item*, whether euery dignitie prebendarye or vicare be qualified accordyng to the nature of there stall, or no.

(To the secunde your Lordshippes recordes in the late visitation of the lorde Archebusshopp of Cant' cañ well declare, for ther be diuers prebendaries whom we knowe nott.)

3. *Item*, whether euery Canon Resident doth kepe his or theyre dayes residentiaries accordynglye or no.

(To the iij[de] article, all in the residentiaries referr our selfes to them that will accuse us.)

[*Vide* s.a. 1535, p. 362.]

[Cf. p. 387 (*E.*).] 4. *Item*, whether euery dignitie and prebendary do preache accordyng to their dayes appoynted. And yf they do nott preache whether they be merced accordyngly, and what he or they be that do so offende.

[1] *** The answers in parentheses are taken from the next page in the *Blacker* Register (p. 146): "An answer of all the Canons aswell residentes as others vnto tharticles delyuered by the Reuerend father in God John Busshopp of Sar' to them in his visitation begon the vj[th] daye of Aprell in the yere of our lord God M[l].cccc.lxij. Responsio dignitatum et prebendariorum comparentium articulis prescriptis."

A.D. 1562.

(To the iiijth, our checke boke made to that effecte will declare itt.)

5. *Item*, whether the plate of the Churche and other Iuells be kept accordynglye, and that in one certen place.

(To the vth, our Iewelles and plate ys kept in the vestery.) [*i.e.* the lower treasury, where the cope money was kept, p. 354.]

6. *Item*, whether the Churche be well repaired and the windows well glased.[1]

(To the vjth. [*See under* art. 7.])

7. *Item*, whether that the towers belongyng to the same be well repaired or nott.

(To the vjth and vijth, the churche is in great ruyne MM$^{li.}$ will not repaire itt.)

8. *Item*, whether all the chauncells belongyng to the impropriations of the said cathedrall Churche be well repaired, or nott.

(To the viijth, the chauncelles be nott repayred.)

9. *Item*, whether the maister of the workes for the tyme beyng doth hys dutie or nott.

(To the ixth, the M^{rs} of the workes do the best there powers.)

10. *Item*, whether the clerke of the worke doth make hys accompt accordynglye.

(To the xth, the clerke of the workes hath don his diligence.)

11. *Item*, whether *Statutum quod incipit "Dignitas Decani"* be well obserued or nott. [See p. 28.]

(To the xith, we dubt nott butt your L[ordshipp] will observe itt.)

12. *Item*, whether adoptions be receyved and bestowed accordyngly or no. [*i.e.* "Optises." See Chapter Act, 8th Oct., 1538, *Holte*, f. 3 = p. 5.]

(To the xijth, Theye were neuer better observed.)

13. *Item*, whether the reuanewes *que appellantur "incerta"* be faithfully and truly distributed.

(To the xiijth, the Deane and Chapitour ar sufficientlye [Cf. p. 364 (*E.*) 16.]

[1] Captain R. Symonds, who visited and studied the Cathedral when the Cavaliers were at Salisbury, *c.* 1643, noted, in the Lady Chapel, "all the brasse gone. . . . The windowes in the body of the Church are new glass at the bottome, north side. Written thus in most of the windowes, '*John Jewell Ep'i*, 1569.'" (*Symonds' Diary*, Camden Soc., 1859, p. 140.)

A.D. 1562.

authorized in that behalf aswell by the common law as by composition.)

[See above, s.a. 1535, p. 364.]

* Blacker, 73=145=113.

*14. *Item*, whether ther be any reall composition for the ecclesiasticall Jurisdiction betwene the Bushopp and the Deane or no.

[The answer given to the 13th article possibly belongs to this article. For those which follow the Chapter have numbered each a unit in advance of the articles of inquiry.]

15. *Item*, whether all suche portions of money as hath byn bequeathed in testamentes have byn diligently gathered by the Archedeacons. And whether they have made their accomptes therof accordyngly.

(To the xiiijth, we desire your L[ordship] that the Archdeacons may make theyre seuerall awnsweres here vnto themselfes. And bi our parte we say that we have great Iniurys.)

16. *Item*, whether the statutes be reade and opened once a yere to suche as apperteyneth to knowe the same.

(To the xvth, they be nott reade by cause suche to whom itt doth apperteyne be nott present when the tyme is, att the generall chapitour.)

17. *Item*, whether *Statutum de obseruacione*[1] *Vicar-*[*iorum*] by well and trewly obserued or no.

(To the xvjth and xvijth, we desire your L[ordshipp] to receyve their awnswere.)

18. *Item*, whether the said Vicars' Statutes be openly reade amongest the company once euery yere or no.

[See the preceding answer.]

19. *Item*, whether euery dignitie, prebendary, vicar, or other minister of the Churche do go decently apparelled according to their calling'.

(To the xviijth, we cann not fully awnswere itt bycause many be absent.)

20. *Item*, whether any man doth take away or diminish the stipends of the Vicars.

[1] As Dr. Frere remarks (*Injunc.*, iii. 124), "'*observacionibus*' is probably what Mr. Blacker *ought* to have written." Does this article of inquiry refer to c. 29 of the Mortival Code of 1319 (pp. 212–228, above), or to some other ordinance?

A.D. 1562.

(To the xixth, we desire your L. to receyve the vicars awnswere.)

21. *Item*, whether the dignities, vicars, and other ministers do come to the Churche at Divine service att convenient tyme or nott.

(To the xxth, itt is nott so diligently donn as we showlde do.)

22. *Item*, whether the numbre of the vicars be in ther Churche or no. [Cf. p. 220, *supra*.]

(To the xxjth. The numbre ys nott full.)[1]

23. *Item*, whether any of the cumpany be compted common brawlers.

(To the xxijth. Ther ys noone suche.)

24. *Item*, whether any of the said cumpany be suspected of incontinency.

(To the xxiijth, xxiiijth, and xxvth; ther ys none suche.)

25. *Item*, whether ther be any accompted for common dronkerds.

[*Ans.* Ther ys none suche.]

26. *Item*, whether ther be any common haunters of tavernes.

[*Ans.* Ther ys none suche.]

27. *Item*, whether the chorusters and other yong men servyng in the Churche do repaire to the grammer schoole or nott. [Cf. pp. 374, 376; Artt. 19, 30.]

(To the xxvjth. They do resorte to the scholes.)

28. *Item*, whether you knowe any mann that doth holde any muniment or specialtie from the Churche or nott.

(To the xxvijth. Ther is none that doth witholde any muniment.)

29. *Item*, whether all suche munimentes and specialties as you have be kept under such lokes and keyes as is appoynted by your statutes and by the will of your Founder. [See *Statutes*, A.D. 1319, Nos. 9, 10, pp. 166–170.]

(To the xxviijth. Such munimentes as we have be kept accordingly.)

30. *Item*, whether the prebendaries' howses both within the Cloose and abroode be well and sufficientlye repayred or no, and thorowgh whose defaulte they lacke reparations.

[1] In 1547 there had been 14 Vicars instead of the statutable 26.

A.D. 1562.

(To the xxixth: they be all in decay throwgh our predecessors default.)

31. *Item*, whether the Commun[ar] doth make his accompt once in a yere, and the same accompt so made and allowed, do delyuer such summes of money as shall remayne vpon his accompt accordyngly or no.

(To the xxxth: the commun' doth nott make his accompt once in the yere, butt when he maketh itt, itt is allowed & payeth euery man accordingly.)

32. *Item*, whether the wall and defenses of the Close of Sar' be well maynteyned and kept or no, And by whose default they ar vnrepayred.

(To the xxxjth: itt is in decaye on euery syde aswell my Lorde Busshoppes as the Deane and Chapitors.)

33. *Item*, whether all and singuler Injunctions geven by the Quenes maiesties late visitation be duly observed. And if they be broken, in what poyntes and by whom they ar broken. [See *Injunctions*, A.D. 1559, pp. 370–78.]

(To the xxxijth: the Iniunction geven by the Quenes maiesties late visitation for holdyng a generall Chapitour att Whitsontide is not obserued by reason wherof many of the rest are not obserued.) [See p. 377, No. 32.]

34. *Item*, whether any person or persons lying within the Close and being no seruant unto the Churche have so offended in breache of any order as the punishment therof owght to apperteyne to the ecclesiasticall Jurisdiction. And if ther be any suche, what their names be, and in what particuler poynctes they have offended.

(To the xxxijth. Ther be some to be called as Mr. Chaunceller shall give knowledg' to your L.)

35. *Item*, if ther be any Canon Resident or prebendary att large within this Churche do knowe any thyng apperteynyng to the reformation of the said Churche, or the ministers of the same whiche maye be reformed by ecclesiasticall Jurisdiction, to presente the same.

(To the xxxiijth: as we have nott presently to present, so shall we herafter be gladd to vnderstand & to declare itt.)

36. *Item*, whether any Canon or prebendarye of this Churche have more then one prebend in the same.

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(To the last, y vicars to whom the stall wages doth belong cann best declare ye same.
Henry Parry, Thomas Lancaster, Richard Chandler, James Proctour, William Bradbridg, Robt Ryve, Gulielmus Hem*es*forth, Johannes Falley, Ric^us Reade, Thomas Key, Richardus Huys, Stephanus Templar.)

† Die veneris, viz. xv^o die mensis Maij A.D. 1562 inter horas ix^am et xi^am ante meridiem eiusdem diei, predictus Rev. pater in dicta domo capitulari Judicialiter et pro tribunali sedens sepedicti magistri Parry presidens, Lancaster, Chaundler, *Proc*tor et Bradbridg canonici Residen' in eadem domo capitulari personaliter existen' idem Reuerendus pater quedam statuta, viz. de residen' dignitatum, de reficiendis edibus, de exoneratione capituli pro pecunia collecta sede vacante, de residen' canonicorum, et de Festis dignitatum ecclesie Cathedralis predict' per ipsum edit' publice perlegit. Quibus perlectis capitulum cum consensu dict' Reverendi patris censerunt deliberand' super admissione illorum Statutorum in die lune prox'.

† 15th May, 1562, Regist. *Blacker*, f. 74^b = p. 148, *olim* p. 117.

(For a summary in English, see next page.)

Tenor Statutorum predictorum sequitur :—

The *Festa Dignitatum* are thus specified in "Mr. Holmys' Book," A.D. 1526; p. 1, col. *b* :—

(i.) *Festa Decani* (septem).
Festum dedicacionis ecclesie [30 Sept.].
Dies Natalis Domini [25 Dec.].
Epiphanie Dñi [6 Jan.].
Dies Pasche [*post*, 21 Mar.].
Dies Ascensionis Dñi [*post*, 29 Apr.].
Dies Penthecostes [*post*, 11 May].
Dies Assumpcionis B. Marie [15 Aug.].

(ii.) *Festa Precentoris* (tria).
Feria secunda ebdomade pasche [*post*, 22 Mar.].
Feria secunda ebdom. penthecostes [*post*, 30 Apr.].
Feria secunda Nativitatis Dñi, viz. festum S. Stephani prothomartiris [26 Dec.].

(iii.) *Festa Cancellarii* (tria).
Feria tercia ebd. pasche [*post*, 23 Mar.].
Feria tercia ebd. penthecostes [*post*, 1 May].
Festum S. Johannis in ebd. Nat. Dñi [27 Dec.].

(iv.) *Festa Thesaurarii* (tria).
Feria quarta ebd. pasche [*post*, 24 Mar.]
Feria quarta ebd. penthecost. [*post*, 2 May].
Festum SS. Innocencium [28 Dec.].

On col. *a* of the same page is another list of "*Festa Decani*," as many as 29 in number (Press IV. Box *L.*).

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ACTA JUDICIALITER FACTA IN VISITATIONE SARUM ECCLESIE PER JOHANNEM JEWEL, EPISCOPUM, Aō 1562.[1]

[REGIST. *Blacker*, fol. 74[b] = p. 148 (line 12).]

Friday, 15 May, 1562.

After reciting the due consideration given by the Chapter of Sarum to the various ordinances about to be promulged, touching (1) the residence of the "Quatuor Personæ," (2) the repair of the canonical houses, (3) the exoneration of the Chapter for moneys received during the vacancy of the see, (4) the residence of the several Canons, (5) the feasts to be held as of custom by the Dignitaries of the Cathedral Church, as follows :—

(*Visitation begun*, 6th April, 1562.)

QUONIAM pro pastoralis nostre functionis magnitudine non tantum reliqua tota dioc' sed etiam multo maxime Ecclesia nostra Cathedralis quam ceu Ciuitatem in monte positam inter alias ecclesias lucere, et ceteris omnibus exemplo esse conuenit, cure nobis esse debet, vt in proxima nostra visitatione ordinaria inuenimus, non tantum alibi passim, sed etiam in ipso Clauso multa esse depravata, quod nos pro eo sane ac debuimus graviter et moleste tulimus: Ideirco visum est nobis ad sextum Aprilis anno Domini 1562 visitationem nostram ordinariam inchoare in Capitulo cum fratribus nostris, dignitatibus et canonicis Residentiarijs tunc presentibus, viz.:

magistris Henrico Parry presidente Capituli et Cancellario dicte ecclesie nostre cathedralis, prebendario prebende de Bricklesworth;

Thome Lancaster thesaurario, preb. preb. de Calne;

Richardo Chaundler, Archid. Sar*um*, preb. de Yatmyster et Grymston;

Jacobo Proctor, prebendario prebende de Grantham boriali;

Willielmo Bradbridge, preb. de Lyme et Halstoke;

Rob. Ryve, prebendaris prebende de Bytton;

THE MATTERS JUDICIALLY DONE AT THE VISITATION OF THE CHURCH OF SALISBURY BY JOHN JEWEL, BISHOP, IN THE YEAR 1562.

SEEING that according to the greatness of our pastoral duty which we have to discharge we are bound to have a care as well as for the rest of our great diocese, so in the very highest possible degree for our own Cathedral Church, which ought to shine brightly among the other churches like a city set on an hill; as we found in our late ordinary visitation, that there were not only elsewhere on every side but even in the Close itself many things amiss, a fact which, as assuredly we ought, we took much and grievously to heart: Therefore we saw fit to begin our ordinary visitation in the Chapter[house] upon the 6th of April in the year of our Lord 1562, with our brethren the dignitaries and Canons Residentiary then present; to wit, Masters H. Parry, president of the Chapter and Chancellor of our Cathedral Church aforesaid, prebendary of the prebend of Bricklesworth; Thomas Lancaster, Treasurer, preb. of Calne; Ric. Chaundler, Archd. of Sar*um*, preb. of Yatmyster and Grymston; James Proctor, preb. of the prebend of Grantham borial; Will. Bradbridg, preb. of Lyme and Halstoke; Rob. Ryve, preb·

[1] The Bishop came into Chapter on Tuesday, 19th May, 1562, and drew attention to these Statutes. They were discussed on Wednesday, 20th, Thursday, 21st (*Blacker*, f. 76 = 151), at Pentecostal Chapter, and on Saturday, the 23rd, his injunctions as Visitor were read with these Statutes, and not only received with gratitude, but he was requested by the Chapter to furnish some others in addition before the following Michaelmas. (*Blacker Reg.*, ff. 76^{b}, 77 = pp. 152, 153.)

In the preamble to the publication of these ordinances, Bishop Jewel describes the Cathedral Church as, "Ecclesia nostra cathedralis, quam, ceu civitatem in monte positam, inter alias ecclesias lucere, et cæteris omnibus exemplo esse, convenit." (Cf. pp. 49, 51, 54.)

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Ric. Hues, preb. preb. de Wynterbourne Erlez;
Thoma Key, —— de Stratton;
Will. Hemmerford, —— de Slape;
Johanne Fawley, —— de Chesingbury et Chute;
Jheronimo Barnabe, —— de Netherhaven;
Stephano Templer, —— de Stratford; et
Ricardo Reade, prebendario prebende de Durneford; personaliter comparentibus, Magistro Petro Vannes, dicte ecclesie Decano et preb. prebende de Shipton; Georgio Carewe, precentore ac preb. preb. de Netherbury in Ecclesia; Thoma White, legum doctore Archidiacono Berkes et preb. preb. de Yatesbury; Johanne Laurence, Archid. Wiltes; Johanne Spithovio, preb. preb. de Gillingham maiore; Johanne Geffrey, preb. preb. de Husbourne et Burbage; Roberto Mody, preb. pr. maioris partis altaris; Thoma Myle', preb. pr. de Combe et Harnham; Petro Bizaro Perusino, pr. pr. de Aulton Pancras; Will. Marwodd, p. p. de Wyllesford et Wodford; Edwardo Crome, S.T.P., pr. pr. de Grantham australi; Johanne Warner, in re medicina doctore, pr. pr. de Vffcombe; Stephano Chesten, pr. pr. de Bemyster prima; Johanne Disley, — de Bushopston; Georgio Harvy, — de Alton boriali; Innocentio Reade, — de Chardstoke; Johanne Byllyng, — de Horton; Arthuro Sall', — de Bedmyster et Ratcliff; Johanne Smyth, LL.D., — minoris partis Altaris; Richardo Peter [de] Preston; Henrico Harvy, LL.D., — de Torleton; Richardo Rooke, — de Gillingham minore, per procuratores legitime constitutos etiam comparentibus, equum duximus de iusta ratione aliqua deliberare, et de communi consensu statuta partim vetera et pene absoleta renovare, partim alia nova et temporibus accommodata excogitare.

* f. 75 = p. 149.

*Quinto autem die quum iuxta veterem quandam compositionem que est inter Episcopum et Capitulum finienda esset visitatio, et in negotijs alijs maioribus impediti istis rebus vacare et leges scribere non possimus, assensiente capitulo rem eam distulimus in xv^{tum} diem Maij prox' futur', vt esset spacium interea de vniuerso negotio maturius et salubrius cogitandi. Nunc ergo

of Bytton; Ric. Hues, preb. of Wynterbourne Erlez; T. Key, preb. of Stratton; W. Hemmerford, preb. of Slape; J. Fawley, preb. of Chesingbury and Chute; Hierome Barnabe, preb. of Netherhaven; Stephen Templer, preb. of Stratford, and Ric. Reade, preb. of the prebend of Durneford, [xiij canons] all appearing in person:

Also, Masters Peter Vannes, Dean of the said Church and prebendary of the prebend of Shipton; Geo. Carewe, Precentor and preb. of Netherbury in Ecclesia; Thomas White, LL.D., Archdeacon of Berks and preb. of the prebend of Yatesbury; John Laurence, Archd. of Wilts.; J. Spithovius, preb. of Gillingham major; J. Geffrey, preb. of Husbourne and Burbage; Rob. Mody, preb. of major pars altaris; Thomas Myle, preb. of Combe and Harnham; Peter Bizarro of Perugia, preb. of Alton Pancras; W. Marwodd, preb. of Wyllesford and Woodford; E. Crome, D.D., preb. of Grantham austral; J. Warner, M.D., preb. of Ulfcombe; Stephen Chesten, preb. of Bemyster prime; J. Disley, preb. of Bishopston; G. Harvy, preb. of Alton borial; Innocent Reade, preb. of Chardstoke; J. Byllyng, preb. of Horton; Arthur Salle, preb. of Bedmyster and Ratclieff; J. Smyth, LL.D., preb. of minor pars Altaris; Ric. Peter, preb. of Preston; H. Harvy, LL.D., preb. of Torleton; Ric. Rooke, preb. of Gillingham minor; [all these xxij] also appearing by their proctors lawfully appointed:—We have thought it right to ponder certain matters with a just consideration, and with a common consent to renew partly sundry statutes which were old and well nigh obsolete, and partly to think out sundry new statutes besides to suit the present day.

Now on the fifth day, whereon, in accordance with an antient composition which exists between the Bishop and the Chapter, a Visitation ought to have been brought to its conclusion, and seeing that we ourselves were engaged with other matters and affairs of high concern, and could not therefore have leisure for these matters or for writing laws, We with the consent of the Chapter, did prorogue the business until the 15th day of May next to follow, so that there might be opportunity meanwhile to consider the whole subject more maturely and more profitably.

A.D. 1562. postquam ille dies advenit, convocato de more Capitulo, ista Statuta ad honorem Dei optimi maximi, vtque speramus, ad vsum et commodum cathedralis ecclesie nostre excogitata et Juditio atque assensu fratrum nostrorum confirmata proponimus inviolabiliter observand'.

1. *De Residentia Quatuor Dignitatum Statutum.*

PRIMUM ergo quoniam videmus antecessores nostros pie memorie sapientissimos viros Osmundum et Rogerum multis et iustis causis adductos gravissimis verbis sanccisse vt quatuor primi dignitates, Precentor, Cancellarius, Thesaurarius, Inprimis vero dominus Decanus, quem totius Collegij patrem et huius sancte sotietatis vinculum esse oportuit, in hac ecclesia continuam facerent residentiam, partim vt presentia sua atque auctoritate collegio ornamento esse*n*t, partim vt consilio et prudentia sua statum ecclesie remque communem conseruarent: Ex huius autem saluberrimi Statuti neglectu, quemadmodum nos fratres nostri non sine gemitu admonuerunt, plurimum detrimenti in omnem partem accidisse, et nisi primo quoque tempore occurratur, futurum vt ruina (quod Deus avertat et vetat[1]) consequatur: Idcirco NOS JOHANNES permissione divina Sar*um* Episcopus, habito[2] de hac re cum fratribus nostris maturo et deliberato consilio in domo capitulari, cum Juditio et assensu Capituli, statuimus et decreuimus Statuta illa antecessorum nostrorum Osmundi et Rogeri, de continua Residentia quatuor dignitatum, in integrum esse restituenda et ad pristinum robur revocanda. Vt ab hoc die in futurum nunquam liceat, neque domino Decano, neque Precentori, neque Cancellario, neque Thesaurario, abesse ab ecclesia secus quam in illo Statuto prescribitur, vel vlla de causa alibi residere, nisi forte vocenter ad aulam jussu principis, aut in legatione, aut aliter in regni negotijs occupentur,

[1] "vesotat": MS. *Blacker.* [2] "habita": MS.

Now therefore, seeing that the appointed day is come, and the Chapter summoned in the accustomed manner, We propound these Statutes to be observed inviolably, having devised them to the honour of Almighty God and, as we trust, to the service and advantage of our Cathedral Church, and they have been confirmed § by the judgement and assent of our brethren.

§ [These Statutes were confirmed, on Saturday, 23 May, 1562. (Regist. *Blacker*, f. 77).]

1. *Statute on the Residence of the Four Dignitaries.*

FIRST, therefore, since We see that our wise predecessors of pious memory, Osmund and Roger, being induced so to do by many just causes, did solemnly ordain in weighty terms that the four leading dignitaries, Precentor, Chancellor, Treasurer, and first and foremost Master Dean, who ought to be the father of the entire College and the bond of union for this sacred society, should keep continual residence in this Church, partly that they might adorn the entire College by their presence and authority, and partly also that they might keep up the estate of the Church and the welfare thereof by their advice and prudence: howbeit from the neglect of this most salutary statute, as our brethren have with lamentation given us to understand, much detriment hath befallen them on every side, and, unless it be met at the earliest moment, it will come to pass that ruin (which may God ward off from us and forbid!) will be the consequence:—

Therefore, We, John, by Divine permission Bishop of Salisbury, after mature and deliberate counsel had with our brethren in the Chapter House, with the judgement and assent of the Chapter have ordained and decreed that the statutes of our predecessors Osmund and Roger touching the continuous residence of the Four Dignitaries shall be revived and restored to their first strength; viz. that from this day forth it shall never be lawful either for Master Dean or for the Chantor or for the Chancellor or for the Treasurer to be absent from the Church otherwise than is prescribed in that statute, or to reside elsewhere for any cause, except they chance to be summoned to Court

A.D. 1562. dispensationem autem vllam in contrarium neve querant, neve quesitam aut vltro oblatam recipiant sub pena periurij.

§ "*recificiendis*" (*sic*), MS. *Blacker.*

De reficiendis § *ædibus* [*in*] *Clauso Statutum.*

2. Et quoniam audiuimus ex querelis fratrum nostrorum non tantum ædes[1] multas canonicorum, maxime vero vicariorum choralium, male curatas esse et ruinosas, sed etiam menia ipsa quibus Collegium cingitur aut iam plane multis in locis corruisse, aut, nisi remedium quamprimum adhibeatur, brevi esse ruitura, et Statuta, que ea de re prudenter a maioribus nostris scripta sunt, aperte contempni, et ea causa exteros homines de tota ecclesia nostra contemptim et contumeliose loqui;— Idcirco, Nos unacum consensu fratrum nostrorum gravissimis verbis statuimus, vt si quis imposterum ita ignarus, et rei fameque sue negligens, futurus sit, vt domum suam et eam partem menium que ipsum attingit sartam tectam integramque non conseruet, vt eius prebende fructus et distributiones omnia et omnimoda emolumenta per eos quorum interest sequestrentur, et pecunia ita collecta ad refectionem ædium et menium, vti dictum est, convertatur. Ut autem ista non tantum necessario sed etiam equo animo et libenter fiant, Statuimus vt in singulos annos primo die lune a kalendis Octobris dominus Decanus aut eius deputatus, et senior canonicus residentiarius, adeant omnes ædes et menia totius Collegii et diligenter videant quid quisque de anno superiori edificauerit aut refecerit, et quas necessarias impensas † fecerit, quantum autem ipsi pro sua prudentia recte atque vtiliter impensis judicabunt in librum quem in eum solum vsum habebunt referent, et summas vniversas aut totales in duabus membranis Indentatis scribi faciant, quarum

† p. 75^{b} = 150.

[1] A diphthong appears for the word "*ædes*" throughout this docu-

by the Sovereign's command or be otherwise occupied in affairs of the Realm; and that they shall not either seek any dispensation to the contrary, or, if sought, or even offered unsought, accept it, under pain of perjury.

Statute concerning Repairing the Houses in the Close.

2. And forasmuch as We have heard by the complaints of our brethren that not only many Canons' houses, and houses of the Vicars-choral in particular, are ill-cared for and falling to ruin, but even the very walls whereby the College is encircled have either actually tumbled down in many places, or will shortly do so unless a remedy is vigorously applied; and further that the statutes in that behalf wisely put in writing by our forefathers are openly contemned, whereby strangers do speak scornfully and contumeliously of our whole Church, For this reason We, together with the consent of our brethren, do most imperatively ordain, that if any hereafter shall be so ignorant and negligent of his interest and good repute as not to preserve whole and entire his house and the part of the walls which pertains to himself, the fruits and distributions and all and sundry the emoluments of his prebend shall be sequestrated by those whose duty it is to do so, and the money so collected shall be converted to the repair of the houses and walls, as aforesaid. But to the end that these things be done willingly, not only by compulsion but out of a ready mind, We ordain that every year, on the first Monday after the beginning of October, Master Dean or his deputy, and the senior Canon-residentiary, shall visit all the houses and walls of the entire College, and carefully take note what each one has built or repaired in the past year, and what necessary expenses he has incurred, and the amount which they shall in their wisdom judge to have been rightly and usefully expended they shall enter in a book to be kept by them for that sole use, and the whole or total sums they shall cause to be inscribed on two indentures, one of which we decree to

ment, but is not used by the scribe for "*edificauerit*" or in any other words.

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alteram in Capitulo asseruari volumus, alteram relinqui apud illum qui impensam fecerit. Deinde si contingat vt idem eodem anno discedat a Collegio, modo nisi per iustam depriuationem, aut (vt sint res humane) vt idem eodem anno moriatur, tunc vt statim dimidium eius summe vniverse illi eiusque assignatis imperpetuum abiudicetur, alterum autem dimidium restituatur, vel illi, si discedat, vel, si moriatur, eius aut vxori aut liberis aut assignatis quibuscunque hoc quem dicimus modo. Primum, si vixerit aut remanserit in Collegio vnum annum integrum, tum vt pro illo tempore decima pars illius dimidij quod illi restitui volumus decidatur; si vixerit aut remanserit duos annos integros, tum vt due partes decime; si tres annos integros, tum vt tres decime illius dimidij decidantur, atque ita deinceps, vt si ille decem annos integros aut vixerit aut manserit in Collegio iudicetur summam vniversam et totam impensam ad illum superstitem redijsse et nihil ipsi aut eius assignatis restituatur. Et si interea aut discedat aut moriatur, tum eas summas vel ipsi vel eius vxori liberis aut assignatis administratoribus restitui volumus ab eo qui illi proxime succedit, et ædes ita refectas occupabit. Isque ita se bene et fideliter facturum, antequam inauguretur, aut, vt loqui solent, Installetur, in Capitulo prestabit corporale juramentum.

*De exoneratione Capituli pro pecunia collecta Episcopatus Sar*isburiensis *sede vacante Statut*um.

3. Et quoniam per negligentiam quorundam Canonicorum residentiariorum non dum satisfactum est domine Regine de rationibus duorum annorum quibus nuper per mortem naturalem pie memorie Johannis Capon̄ antecessoris nostri Episcopatus vacabat, quo toto tempore redditus totius Episcopatus per Indult' omnium superiorum principum Regni Anglie colligebantur a Capitulo, et fratres nostri Residentiarij qui dudum adoptati sunt

be kept in the Chapter, and the other to be left with him who has incurred the outlay. Further, if it fortune that this same person shall in the same year remove from the College—except it be owing to just deprivation—or (human affairs being as they are) shall die in that same year, that then forthwith half of that whole sum be withheld from him and his assigns for ever, and the other half restored, either to him if he remove, or if he die to his wife or children or assigns, whoever they be, in the following manner prescribed by us:—

First, if he have lived or remained in the College one whole year, then for that time let a tenth part of the half which we will to be restored to him be cut off; if he have lived or remained two whole years, then two tenth parts; if three whole years, then that three tenth parts of that half be cut off, and so on; so that if he have either lived or remained in the College more than ten whole years, it is to be judged that the entire sum and total cost has come back to him in his own lifetime, and nothing is to be restored to himself or his assigns. And if he either remove or die meanwhile, then our pleasure is that these sums be restored, either to himself or his wife, children, or assigned administrators, by the person who is his next successor and is about to occupy the house thus repaired. And that he will well and faithfully so do, he shall before his inauguration, or, as it is commonly called, installation, make corporal oath in Chapter.

A Statute to discharge the Chapter, for Money collected during Vacancy of the See of Salisbury.

3. And since, through negligence on the part of certain Canons-residentiary, our Lady the Queen hath not yet been satisfied in the accompt of two years for which the Bishoprick was lately void by reason of the natural decease of our predecessor John Capon of pious memory, for the whole of which time the income of the entire See was collected by the Chapter under an indult of all the higher nobles of the Realm of England, and whereas our brethren the Residentiaries who had been for many years

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illo autem tempore vacationis in Capitulo non fuerunt, verentes ne ipsi ad alienas rationes vocarentur et oneribus iniustis gravarentur, instanter pecierunt ne aliena negligentia sibi fraudî forent, Decernimus ergo cum simili consensu Capituli vt aut illi canonici residen̄ qui interea Sede vacante redditus et possessiones episcopatus tractauerunt plene satisfaciant domine Regine et dominis Baronibus Scaccarij, et Capitulum exonerent ante finem termini diui Michaelis prox' sequentis, aut illorum diuidende distributiones atque omnia emolumenta que ad illos redeunt ex hoc Collegio Juditio Decani aut presidentis Capituli et duorum Canonicorum Residentiariorum sequestrentur, donec huiusmodi rationes omnes et singule domine Regine plene atque integre persoluantur.

De Festis dignitatum quatuor Statutum.

4. Porro vbi Dignitates Ecclesie, Decanus, Precentor, Cancellarius et Thesaurarius, pro veteri consuetudine tenentur, si domi sint, ter in annum statutis quibusdam diebus dare epulum et celebri convivio accipere omnes ministros Ecclesie, nunc autem illi qui absunt, aut adesse nolunt, pro illa tanta impensa dant non amplius quam sex solidos et octo denarios, qua in re videtur nobis summa esse iniquitas, decreuimus ergo cum simili consensu Capituli, vt si quis illarum Dignitatum ab hoc die absit forte a Collegio eo tempore quo huiusmodi convivium sit ornandum conducat alium quempiam ex canonicis residentiarijs qui suo loco, et sacra peragat in templo, et domi de more celebret convivium, et * illi ad impensas contribuat non minus quadraginta solidis, quam summam nisi persoluat aut persolui faciat infra duos menses proxime sequentes, volumus vt eius omnia emolumenta que ad illum redeunt

* *Blacker*, p. 76, *al.* 151.

admitted but at the actual time of the vacancy of the See were not in Chapter, fearing lest they should be called to be responsible for accompts in which they were not concerned, or that they should be oppressed by unjust charges, they have instantly petitioned that they may not be prejudiced by the negligence of other men: We decree therefore, with the like consent of the Chapter, that either those Canons-residentiary who handled the income and possessions of the bishoprick while the See was vacant, shall make full satisfaction to our Lady the Queen and to the lords Barons of the Exchequer, and must give discharge to the Chapter before the end of Michaelmas term next following, or else that their dividends, and all the emoluments which accrue to them from this College, be sequestrated by the judgement of the Dean or the President of the Chapter and two of the Canons-residentiary, until all and singular such accompts be paid to our Lady the Queen fully and entirely.

Statute concerning the Feasts provided by the Four Dignitaries.

4. Further, whereas the Dignitaries of the Church—the Dean, Precentor, Chancellor and Treasurer—are bound in accordance with old custom, if they be at home, thrice a year on certain statutory days to give a repast,§ and keep open house for all the Church's Ministers, but now those who are away or unwilling to be present, in lieu of that considerable expense, give not more than six shillings, in which proceeding there seemeth to Us to be great unfairness, We have therefore decreed, with like consent of the Chapter, that if any of those Dignitaries from this day shall by chance be absent from the College at the time at which this feast is to be prepared, he shall hire some other of the Canons-residentiary to perform service in God's house and make feast as usual in the house in place of him, and shall contribute towards his charges not less than forty shillings; which sum except he discharge or cause to be discharged within two months next following, our pleasure is that all his emoluments coming in to

§ [For the "*Festa Decani*," etc., see p. 395 *n.*; see also p. 410 *n.* 1.]

A.D. 1562. ex hoc collegio Juditio Decani aut Presidentis Capituli, et duorum canonicorum residentiariorum, sequestrentur.

De quinta parte prebendarum prebendariorum non residen' Statutum.

5. Et quoniam fratres nostri residentiarij, quibus solis onus totius Collegij imponitur, vehementer queruntur vetera Statuta, et ea maxime que ad ecclesie decus et sacri ministerij ornamentum pertinent, contempni impune et violari, et ex quadraginta septem canonicis, quos in hac Ecclesia nostra alibī[1] oportuit, vix paucos quosdam adesse et residere, et in Choro amplissimo sedes permultas inanes et nudas inveniri prorsus contra voluntatem et Sententiam pie memorie antecessoris nostri et huius ecclesie nostre fundatoris Osmundi; Nos ergo iustis fratrum nostrorum querelis et ecclesie nostre solicitudine commoti, vt imposterum et Collegium maiori Canonicorum numero frequentetur, et sacrum ministerium celebrius et decentius peragatur, maxime vero quoniam in alijs ecclesijs cathedralibus antiquioribus videmus similem libertatem et vagandi licentiam non permitti, rogatu fratrum nostrorum, cum consensu Capituli, statuimus veterem antecessoris nostri Osmundi constitutionem quam de ea re tulit in integrum esse restituendam,—hoc est, Canonicos huius Ecclesie nostre omnes et singulos, nisi iuxta formam veterum Statutorum adsint et resideant, quinta parte[2] prebende sue esse multandos; pecuniam autem omnem ita collectam ad fabricam Ecclesie nostre Cathedralis conferri volumus. Quod si quis erit, qui

[1] The word printed "alibī" is written in faint ink: it may perhaps be "celebri," or "celebrare," to assemble in large numbers, or "ali."

[2] The mulct of *one-fifth* for non-residence is ordered in the Constitutions of 1213-14 (when Ric. Poore was Dean). See p. 42, above. No extant constitution, however, of St. Osmund himself contains it.

On Saturday after Pentecost, May 23rd, 1562, Injunctions and Statutes were read in Whitsun Week, and the Chapter thanked the

him from this College shall, by sentence of the Dean or President of the Chapter and the Canons-residentiary, be sequestrated.

Statute concerning the Fifth Part of the Prebends of Prebendaries not residing.

5. And because our residentiary brethren, on whom alone the burden of the whole College is placed, complain vehemently that old statutes, and those especially which pertain to the honour of the Church and the adornment of the sacred Ministry, are with impunity scorned and violated, and that out of forty and seven Canons, who ought to have been found in large numbers in this our Church,[3] scarce a handful repair to it and reside there, and that in a Choir of the largest size very many seats are found empty and bare, wholly contrary to the will and intention of our predecessor Osmund, founder of this our Church—We therefore, moved by the just complaints of our brethren and by solicitude for our Church, to the end that for the future both the College may be frequented by a larger number of Canons and the sacred ministration be performed with a larger attendance and greater seemliness, more particularly because in other ancient Cathedral Churches we see that like liberties and leave to wander hither and thither are not permitted, at the request of our brethren and with consent of the Chapter We ordain, that the old constitution of our predecessor Osmund made by him in this behalf be restored in its entirety. That is to say, that all and singular the Canons of this our Church, except they are present and reside according to the form of the old statutes, are to be amerced of the fifth part of their prebend; and our pleasure is that all the money so collected be devoted to the fabrick of our Church. But if there shall be any who, being thus

Bishop, and urgently (*obnixe*) requested that he would give them some additional statutes by Michaelmas following.

In 1562 Whitsun Week began with Sunday, 17th May:—24th May being Trinity Sunday.

[3] The Latin is indistinctly written. Perhaps the meaning is "who ought [to be] in this our noble Church."

A.D. 1562. 15 May. Judicio Capituli ita condempnatus Judicatum soluere recusauerit, et vetus Statutum antecessoris nostri et fundatoris Ecclesie nostre Osmundi, nunc etiam nostra insuper auctoritate confirmatum, contempserit, et 30 dies in ea animi sui obstinatione perstiterit, eum propter excrescentem contumatiam, Juditio Decani aut eius deputati et duorum Canonicorum Residentiariorum, decernimus esse excommunicandum.[1]

Ab hoc Statuto excipi volumus eos qui principis iussu aut ad aulam, aut ad obeundum legationem, aut alioqui ad regni negotia vocabuntur, et eos qui versabuntur in familitio nostro aut Successorum nostrorum aut iussu nostro in nostra diocesi concionabuntur, aut in aliqua celebri vniversitate, vel in Anglia vel vltra mare, aut nostra,§ aut Successorum nostrorum permissione, studebunt literis.

§ "*nostro*": MS.

[1] The Sentence of Excommunication was declared, in accordance with the Royal Injunction (No. 32) of 1559 upon J. Smyth, J. Persy, Ric. Basyng and T. Burbanke, the four prebendaries who failed to appear, personally or by proxy, at the Pentecostal Chapter, in May, 1562 (*Blacker*, pp. 153-4), when Chancellor Parry presided as Locum Tenens Decani. Bishop Jewel had joined that "Synod" or "Chapter" on the second day (Tuesday, 19th May), and his Statutes, which had been received on the previous Friday, were discussed on that Tuesday and three days following. On the Saturday the Injunctions made at the Royal Visitation and sent to the dignitaries, prebendaries, and ministers of the Cathedral, were read; as likewise were the Statutes, exhibited by the Bishop. The President and Chapter "returned humble thanks to the Bishop, and gave consent and assent to the Statutes, but also earnestly besought his lordship to issue the other Statutes mentioned in a previous Chapter-act before the following Michaelmas." He arranged that they should elect two Canons to serve as Provosts. Ric. Reade and Stephen Templer were thereupon chosen *praepositi*, and at their request the President and Chapter assigned "domum vocatam *Braybrook's house*" to their use, so that they might provide all that was requisite for the use of such Canons as should be required to come to Salisbury for one term's residence in the year. Other business which occupied the Pentecostal Chapter in 1562 was a project concerning the school and its *ludimagister*, and an order that since the possessions of the Vicars Choral were diminished and the same number of Vicars as in times past could no longer be maintained, and seeing that the several Canons were not now represented each one by a Vicar of his own, therefore the Canons should pay 12*d*. apiece to the Communar of the Vicars Choral, to keep a list of their names and

condemned by the sentence of the Chapter, shall have refused to pay what is adjudged, and shall have contemned the old statute of Osmund, our predecessor and founder of our Church, now also further confirmed by our authority, and shall have persisted during thirty days in that stubborn frame of mind, We decree that, because of his overweening obstinacy, by sentence of the Dean or his deputy and two Canons-residentiary, he be excommunicated.

From this statute We will that they should be excepted who at the command of the Sovereign shall be called either to Court or to go upon an ambassage, or otherwise for business of the Realm, as well as those who shall be employed in our household or that of our successors, or at our bidding shall be preaching in our diocese, or engaged in the study of learning in some famous university, either in England or beyond the sea, by permission from us or from our successors.

addresses, so that he might forward their letters and notices, a duty which in earlier days was undertaken by each Vicar for the Canon "his master."

The Charter of the Liberty of the Close.

On 2nd March, 1612, King James I. granted a Charter to the Bishop, Dean, and Chapter of Salisbury, constituting the Close and its Liberty a separate jurisdiction within the Cathedral Church the precincts of the Canons' Close and the streets and dwellings from Harnham unto and upon Harnham Bridge and within the Bishop's Guildhall and two Gaols, with the use of pillory, tumbrel, stocks, *le* Grate, and the gallows set up of old upon "le Busshopes Downe." A copy of this Charter is contained on ff. 101–104 of the xviith-century MS. "*Constitutiones*." It is already in print in F. Price's "*A Description of that Admirable Structure the Cathedral Church of Salisbury*," 4to, 1774, pp. 10–18, in Latin with an English translation. The Latin is also printed on pp. 784–6 of Benson and Hatcher's *Hist. of New Sarum*, folio, 1843. The exercise of any handicraft, trade or mystery within the Close or its Liberty is forbidden by this Charter, except for one carpenter, one glazier, and one plumber to be employed on the fabrick. Notwithstanding this, some tenements in the Close, even within the consecrated cemetery, were occupied by other craftsmen, so that Archbishop Laud (25th June, 1639) directed a mandate, with the authority of King Charles I., to the Dean and Chapter, requiring them to pull down such houses, as the leases fell in. His mandate was probably inoperative, as his authority was cut short so soon afterwards. His letter was then seized by the municipal authorities, and it still

A.D. 1635.

(11 Chas. I.) 2 Oct.

* Register labelled "*Constitutiones*," p. 106, li. 16.

*STATUTUM REGIUM DE RESIDENTIÂ[1]

(Secundum Canones Ecclesiæ Anglicanæ a Rege Jacobo [A.D. 1603] Confirmatos.)[1]

Carolus R.

Carolus Dei gratiâ Angliæ Scotiæ Franciæ et Hiberniæ Rex fidei defensor, &c. Dilectis in Xtō Richardo Baylie sacræ Theologiæ professori, Decan̄ Ecclesiæ Cathedralis Sarum, Humfr'o Hencheman Theologiæ professori, Præcent'; ejusdem Ecclesiæ, Egidio Thornburgh ejusdem Eccl. Subdecano, Johanni Barnston, Will. Osburne, Henr'o Seward, Theologiæ professoribus, Edrō Thornburgh Artium Magistro, et Thomæ Mason Theologiæ Doctori, Canonicis Residentiarijs Eccl. Cath'lis Sarum prædictæ, et Decano, Præcentori, Subdecano et Canonicis Eccl. Cathedr. prædict', qui in posterum fuerint, Salutem. Cùm vos (ut certam inde habemus notiticiam) die veneris 2do die mensis Octobris, A.D. 1635, inter horas 8^{am} et undecimam ante meridiem ejusdem diei in domo capitulari, ejusdem Ecclesiæ in presentiâ Thomæ Suter Notarij publici clerici Capitularis, Capitulariter congregati et Capitulum facientes, ac de rebus et negotijs ejusdem Ecclesiæ præcipue vero de Residentiâ in câdem debitè habendâ, tractantes et communicantes Annique tempora et terminos inter vos

remains among their muniments. It was probably an infringement of the Charter of 1612 when weavers' shops were erected in the quadrangle of St. Nicholas' Hospital, within the Liberty, and a rope-walk made in the master's kitchen-garden, where they remained until half a century ago. The late Mr. J. Saunders, born in this "Hospital" in 1837, recollected the time when as many as eight ropes were made there for the execution of as many poor felons in a single day, under the old penal laws now happily relaxed.

[1] These are usually called the "Caroline Statutes," from having been confirmed by the King (Charles I.) and are duly registered in the "Shuter Register," f. 47. They are described as the "Decree made by the Dean and Chapter of Sarum for their more certain use and convenience in that Church according to the Canons of the Church of England." The "Canons" alluded to are Nos. xlii. and xliv. of the

ROYAL STATUTE (A.D. 1635) CONCERNING RESIDENCE

ACCORDING TO THE CANONS OF THE CHURCH OF ENGLAND CONFIRMED BY KING JAMES [IN 1603].

CHARLES THE KING:—

CHARLES, by the grace of God, King of England, Scotland, France, and Ireland, defender of the faith, etc. To our beloved in Christ, Richard Baylie, Doctor of Divinity, Dean of the Cathedral Church of Salisbury; Humphrey Henchman, D.D., Precentor of the same; Giles Thornburgh, Subdean of the same; John Barnston, William Osburne, Henry Seward, Doctors of Divinity; Edward Thornburgh, A.M. and Thomas Mason, D.D., Canons-residentiary of the Church of Salisbury aforesaid; and to the Dean, Precentor, Subdean and Canons of the said Cathedral Church who shall be hereafter, Greeting.

Whereas ye (that we may give sure knowledge thereanent), on Friday, the 2nd day of the month of October, in the year of our Lord 1635, between the hours of 8 and 11 a.m. of that day in the Chapter house of the same Church in the presence of Thomas Suter, notary publick, Chapter-Clerk, Chapter-wise assembled and making a Chapter, and treating and communing together on matters of business of the same Church and especially concerning the due keeping of residence therein, and desiring that the times of the year should be distributed among you according to the tenour of the canons

Canons of 1603, which relate to the residence of Deans and Canons in Cathedral or Collegiate Churches. It may be added that the "Caroline Statutes" regulated the residence of the Canons at Sarum till the Cathedral Acts of 1840 and 1841, the provisions of which rendered certain modifications, as it seemed to the Close Chapter, necessary. These are thus detailed in the report of the Cathedral Commissioners (1854) at p. 375: "The Dean being obliged by late Acts of Parliament to reside *eight* months, and there being no longer a sufficient number of Canons for *two* to reside together during each quarter according to the Caroline Statutes, the Dean is, by a statute [1851] of the Dean and Chapter [of Residentiaries] which the Bishop has confirmed, relieved from *special* months of residence, and the fourth Canon has to keep residence during the months of July, August, and September." (*J.*)

These statutes were sealed with the royal signet, in Westminster Palace, 11th March, anno regni 12°, 1635–6.

A.D. 1635. juxta canones Ecclesiæ Anglicanæ ea in parte editos ita partiri volentes ut vestrorum aliqui in dictâ Ecclesiâ Cathedrali semper adesse et personaliter residere teneantur, post maturam deliberationem inter vos prius habitam, unanimi tandem vestrorum assensu et consensu statuistis et decrevistis prout sequitur in his verbis.

(1) Inprimis Quod de cetero perpetuis futuris temporibus certus sit sub pœnis hic inferius specificatis in dicta Ecclesiâ residendi modus; videlicet, Quod quolibet termino sive quartario duo Canonici Residentiarii in personis suis proprijs infra Clausum Ecclesiæ Cathedralis antedictæ personaliter residere et hospitalitatem tenere, necnon etiam (ut divina officia per vicarios et alios ministros Ecclesiæ prædictæ, qui in Canonicorum absentiâ ea in parte nimis remissi inveniuntur, eo melius exequantur) quolibet die termini sive quartarij prædicti precibus tam matutinis quàm vespertinis in choro ejusdem Ecclesiæ celebratis in personis suis proprijs vel in Casibus utriusque seu alterius eorum * necessariæ absentiæ, sive impedimenti legitimi, per alium sive alios dictæ Ecclesiæ Residentiarios Canonicos sive Canonicum Residentiarium per eos vel eum ad id specialiter et in scriptis, per eos vel eum subscribendis et Subcommunario tradendis, substituend*um* rogand*um* et procurand*um* continuò interesse teneantur et firmiter obstringantur.

* *Const.*, p. 107.

(2) Item Quod cum tam de Jure Ecclesiastico quam Statutis et Consuetudinibus antiquis et magis Approbatis Ecclesiæ Cathedralis antedictæ, Canonici in dicta Ecclesia Residentes et hospitalitatem tenentes, quoad perceptionem commun*arum*, distributionum, et dividentiarum, si tamen à divinis in Choro ejusdem Ecclesiæ horis canonicis celebratis se absentaverint pro non residentibus habendi sint et reputandi; voluerunt igitur præfati Venerabiles Viri, Decanus et Capitulum antedicti, et unanimiter statuerunt, et decreverunt ut quisquis Canonicus hujusmodi pro quolibet servitio, quo in termino sibi pro residentiâ sua

of the Church of England in that behalf made publick, so that at every time, some or other of your number may be bound to be present and to reside personally in the said Cathedral Church, after mature deliberation first held among yourselves, with your unanimous assent and consent have determined and decreed as follows, in these words:—

(1) IMPRIMIS, to the end that thereafter for all future time there may be a fixed plan of residence in the said Church, under penalties hereinbelow specified; to wit, that every term or quarter two Canons-residentiary shall be obliged and straitly bound in their own proper persons to reside personally and keep open house within the Close of the aforesaid Cathedral Church, and moreover (in order that they may the better perform the divine offices by means of Vicars and other ministers of the aforesaid Church who in the Canons' absence are found over remiss in that respect) every day of the term or quarter aforesaid to take continuous part in both the morning and the evening prayers performed in the Choir of the same Church either in their proper persons, or in the cases of the necessary absence of both or one of them, or of lawful impediment, then by means of another or others of the Canons-residentiary of the said Church, or a Canon-residentiary by them or him specially and in writing (by them or him to be subscribed and delivered to the Subcommunar) to be substituted, prayed and procured.

(2) *Item*, whereas as well by the law ecclesiastical as by antient and well-approved statutes and customs of the aforesaid Cathedral Church, the Canons residing and keeping open house in the said Church, as regards the receiving of commons, distributions and dividends, if notwithstanding they shall have absented themselves from Divine Service at the Canonical Hours performed in the Choir of the same Church, are to be held and reputed for non-resident: Therefore it was the will of the before-mentioned venerable the Dean and Chapter aforesaid, and they unanimously decreed, that every such Canon, for any service whatsoever from which, in the term assigned to him for his residence aforesaid, he may

A.D. 1635. prædictâ assignato se absentare contigerit, quoties videlicet ipse precibus matutinis vel vespertinis in Choro Ecclesiæ prædictæ celebratis non interfuerit personaliter, vel saltem (ut præmittitur) locum suum ea in parte per Canonicum substitutum suum specialem suppleri minimè procuraverit; summam quinque solidorum bonæ et legalis monetæ Angliæ de Commun*arum* distributionibus et dividentijs in dicto anno sibi alioqui debitis penitùs amittat; et quod summæ pro absentia sua sic amissæ inter reliquos Canonicos residentes, residentiam et hospitalitatem debitè tenentes, divinisque, ut modò prescribitur, interessentes, in fine anni per Communarium dividantur.

(3) Item ne occasione sive pretextu præmissorum aliqui Canonici, substitutum (ut præmittitur) procurantes, à Clauso predicto et divinis in choro ecclesiæ antedictæ horis canonicis celebratis p*r*ætendere valeant se in personis suis proprijs totaliter et impunè abesse posse; unanimi etiam consensu et assensu per venerabiles viros, Decanum et Capitulum antedict*os*, statutum et decretum fuit, ut quilibet Canonicus dictæ Ecclesiæ residentiarius quolibet anno sexaginta diebus continuis, vel interpolatis, sive discontinuis, personaliter residere, hospitalitatem tenere, ac divinis in dictâ Ecclesiâ celebratis bis quotidiè per se et in personâ suâ propriâ interesse teneatur, sub pœnâ quinque solidorum monetæ prædictæ pro quâlibet absentiâ suâ a precibus vel matutinis vel vespertinis, de et ex Commun*arum* distributionibus et dividentijs suis per Communarium dividendis et defalcandis, et in fine anni inter reliquos Canonicos residentiarios residentiam et hospitalitatem tenentes, divinisque (ut hic injungitur) interessentes, dividendis. In computatione verò et numero dictorum sexaginta dierum voluerunt Decanus et Capitulum antedicti et unanimiter decreverunt quemlibet diem sequentium dierum, videlicet, diem Dedicationis hujus ecclesiæ, vigilias et festa Natalis Domini, Paschæ, et Pentecostes, cum tribus diebus, primos dies dictorum seperalium § festorum proximorum et immediatè sequentium,

§ (*sic*).

have chanced to be absent himself—whenever, namely, he shall not have taken part in person in the morning or evening prayers performed in the Choir of the aforesaid Church, or at least (as is afore rehearsed) shall not have procured his place to be supplied in that behalf by a Canon as his special substitute—shall wholly lose a sum of five shillings of good and lawful money of England from the distribution of commons and dividends in the said year otherwise due to him. And the sums for his absence thus forfeited shall at the end of the year be divided by the Communar among the other resident Canons, duly keeping residence and open house, and taking part in Divine Service, as already prescribed.

(3) *Item*, lest by occasion or pretext of the premisses any Canons procuring a substitute, as above rehearsed, should be able to pretend that they in their own proper persons can wholly and with impunity be absent from the Close aforesaid and the Divine Canonical Hours performed in the Choir of the aforesaid Church, it was also, with unanimous consent and assent, by the venerable Dean and Chapter aforesaid ordained and decreed that every Canon-residentiary of the said Church be bound on sixty days in every year, whether they be continuous or broken and discontinuous, to reside in person, use hospitality, and take part by himself and in his own person, twice daily, in the Divine offices performed in the said Church, under penalty of five shillings of the aforesaid money for every absence from morning or evening prayers, from and of the distributions of commons and their dividends, to be divided or deducted by the Communar, and at the end of the year to be shared among the other Canons-residentiary keeping residence and open house and taking part (as here enjoined) in Divine Service. But in the computation and number of the said sixty days it was the pleasure of the aforesaid Dean and Chapter, and they unanimously decreed, that each of the following days, to wit, the day of the Dedication of this Church, the Vigils and Feasts of Christmas, Easter, and Pentecost, with the three days following, the first days of the said several feasts next coming and immediately following, and the

A.D. 1635.

diesque sive festa Omnium Sanctorum, Epiphaniæ, Annuntiationis beatæ Mariæ virginis, Purificationis ejusdem, et tertium diem Decembris, et Ascentionis Domini, pro duplicibus sive duobus diebus numerari et allocari.[1]

MS. *Constitutiones*, f. 106, where there are two additional sections.

Statuta Humfredi [*Henchman*] *Episcopi*, 1661 (*composita et cum consensu Capituli Ordinata et Decreta ante* 30 *annos per Johannem Davenantium Episcopum*).

A.D. 1661.

Statute Book H., f. 127.

Ante triginta annos bonæ memoriæ et admodum reverendus præsul dominus Johannes, prædecessor noster, quædam statuta huic ecclesiæ nostræ perutilia imò necessaria composuit, et dein in Capitulo et cum Consensu Capituli eadem ordinavit et decrevit; quorum vero adversis studijs, eadem sic decreta in Registro Capitulari non inscripta, malumus reticere, quam scripto nunc nostro notare et prodere. Sed quædam ex istis statutis nos repetentes atque addendo et subtrahendo immutantes quæ huic tempori sunt maxime accommoda denuò decernimus, et in hunc qui sequitur tenorem redigimus.

§ "*Quorundum*" (*sic*), *MS.* H.

I. *De lectione quorundam* § *statutorum quæ admissos maximè attingunt.*

Nemo bonus est quìn desideret ea scire quæ ex officio (accedente presertìm arctissimo jurisjurandi vinculo) tenetur facere. Huic bono bonorum desiderio

[1] The 5th (or last) paragraph of the foregoing "ordinance" assigns the Quarter from 1st Oct. to 31st Dec., as their time of Special Residence to Henry Seward and Thomas Mason, and the Canons succeeding them in their Residential Houses—of the Quarter from 1st Jan. to 31st March under like conditions to Giles Thornborough and Edward Thornborough—of the Quarter from 1st April to 30th June to John Barnston and William Osborne—of the Quarter from 1st July to 30th Sept. to

days or feasts of All Saints, Epiphany, the Anunciation of the Blessed Virgin Mary, the Purification of the same, and the third day of December, also the Ascension of the Lord, be counted and assigned for double allowances or as two days.

[*Statutes of Bishop Davenant, first promulgated c.* 1630, *and confirmed with certain modifications by Bishop Humphrey Henchman, in the year* 1661.][2]

Thirty years since, the right reverend Lord Bishop John, of honoured memory, our predecessor, composed certain statutes very advantageous and indeed necessary to this our Church, and thereafter in Chapter and with the Chapter's consent ordained and decreed the same. But by whose factious opposition the things thus decreed failed to be inscribed in the Chapter register We would rather keep in silence than now by this our writing stigmatize and reveal. Notwithstanding, while not repeating some things out of those statutes and while changing some by addition and subtraction, those things which are most adapted to the present time We do again decree and reduce to this following tenour:—

I. *Touching the reading of certain Statutes which especially concern the persons already admitted.*

There is no good man that doth not desire to know the things which by his office (especially with the addition thereto of an oath's most stringent bond) he is

the Dean and Humphrey Henchman the Precentor. It is also provided that when the number of Canons-residentiary should be reduced to six (exclusive of the Dean), then the last-named Quarter should be the term of Special Residence for the Dean himself. The "ordinance" also provided for a due record being kept by the Sub-Communar of the "absences" of the Residentiary Canons, the same to be handed over once each week to the Communar. (*J.*)

[2] These statutes are called "Statuta Humfredi [Henchman] Episcopi" in MS. H. Bishop Seth Ward has styled them, in his MS. note thereon, "Statuta quædam composita et cum consensu capituli ordinata et decreta ante triginta annos per Johannem Davenantium Episcopum" (*i.e.* between 1621 and 1641).

A.D. 1661. satisfacere cupientes, Statuimus et Ordinamus cum consensu Capituli, vt e vestigio post admissionem cujuscunque in dignitatem, præbendarium, residentiarium, aut officiarium hujus ecclesiæ, statuta illa, quæ admissum propiùs spectant, et præcipui sunt momenti, a domino Decano seu quocunque Capituli Præsidente, adstante et auscultante eo,[1] qui admissus est, perlegantur, quod si ex clausulâ aliquâ aut vocabulo scrupulus oriatur quem sibi eximi petat, volumus dominum Decanum aut Capituli Præsidentem exponere quo sensu ea quæ ambigua aut obscura videntur sunt intelligenda.

II. *De Anniversaria Lectione Statutorum.*

Quod olim observari solitum est renovantes, Volumus vt deinceps in Festo Pentecostes synodus quotannis celebretur, omnesque Præbendarii cæterique quos interesse oportet ad eandem evocentur. Quotquot autem citati formâ et more solito neglexerint in hisce Comitijs † H. 127ᵇ. vel per se vel per procuratores suos legitimos comparere,† eos judicio Decani et Capituli in pœnam contumaciæ censuris ecclesiasticis feriendos decernimus; statuendo denique mandamus promulganda et publicè legenda esse quotannis in hoc Conventu Pentecostali omnia illa Statuta, tam vetera quam nova, quæ robur suum retinere Nos cum consilio capituli nostri hisce proximis Comitiis vel saltem ante decimum quintum diem Septembris proximè futurum, judicabimus.

Nota bene intentionem condendi corp(u)s statutorum.

III. *De chartarum registrorum ac reliquorum instrumentorum fidâ custodiâ et ordinata dispositione postquam recollecta fuerint.*

Non sine gravi dolore Nobis innotuit magnam partem chartarum, instrumentorum, codicum, registrorum, fraude

[1] "ei . . . perlegantur": *Dayman and Jones.*

bound to perform. Desiring to satisfy this honourable desire of good men, We do decree and ordain, with the Chapter's consent, that henceforth, after the admission of any whomsoever to be a Dignitary, Prebendary, Residentiary or Officer of this Church, those statutes which more nearly concern one who hath been thus admitted, and are of especial moment, are to be read by Mr. Dean or whoever shall preside over the Chapter, while he who hath been admitted standeth by and listeneth. But if from any clause or word there arise a scruple which he may desire shall be removed from his mind, our pleasure is that Mr. Dean or the President of the Chapter shall explain in what sense those things which seem doubtful or obscure must be understood.

II. *Of the Yearly Reading of the Statutes.*

Renewing what was wont of old to be observed, our pleasure is that annually at every feast of Pentecost a Synod be held, and that all the Prebendaries and others whom it behoveth to take part be summoned to the same. And as many as, having been cited in the accustomed form and manner, shall have neglected to appear at these assemblies, either by themselves or by their lawful proctors, them we decree to be visited, by sentence of the Dean and Chapter, with ecclesiastical censures, in punishment of their contumacy. Finally we decree and order that there shall be promulged and publicly read year by year at this Pentecostal Convention all those statutes, as well old as new, which We, with the consent of our Chapter, at this next meeting, or at least before the fifteenth day of September next coming, shall adjudge to retain their force.

III. *Concerning the faithful custody and orderly arrangement of the Charters, Registers, and all other Instruments, when they shall have been collected again.*

Not without grave indignation hath it become known to Us that a great part of the charters, instruments, volumes, [and] registers by the fraud and criminality of

A.D. 1661.

ac scelere malè feriatorum hominum sub nuperis motibus perijsse: sed et quæ nobis remanent sparsa et confusa iacere atque[1] adeo vix nostro et fratrum nostrorum vsui, aut saltem minus commodè et paratè inservire. Huic itaque tanto malo vt remedium aliquod inveniamus, cum iudicio et assensu Capituli, Statuimus et decernimus, Quod omnia registra, codices, chartæ aut alia instrumenta quæcunque ad hanc nostram ecclesiam spectantia infra vnum mensem ab horum statutorum publicatione in domum quam appellant "*Munimentorum*" recondantur. Illos verò omnes et singulos qui fidelitatem ecclesiæ Sarum iuraverint, et qui apud se aliquid horum celaverint, aut infra tempus præscriptum restituere noluerint, ob hanc sivè perfidiam sivè pertinaciam suam excommunicationis sententiâ innodandos iudicamus. Insuper dominum Decanum singulosque fratres nostros Canonicos, necnon vnumquemque e gremio huius nostræ ecclesiæ in Domino obtestamur, ut omni curâ et diligentiâ huiusmodi chartas, instrumenta, et libros sicubi latuerint requirant, recolligant,[2] et in dictam domum reportari faciant. Porro volumus et ordinamus chartas instrumenta siue munimenta quælibet prædicta a dominis Præcentore Doctore Hawles, Doctore Priaulx, Magistro Thoma Henchman et Magistro Edmundo[3] Sly, et diligenter expendi et examinari, eaque quæ episcopum attingunt, et quæ ad Decanum et Capitulum pertinent, siue quemlibet e Dignitatibus aut Præbendariis, in quantum fieri poterit sub certis suis ti*tulis divisim et dispositè recondi, vt faciliori negotio (quoties opus fuerit) quisque ea quæ sibi ex vsu sint rectè adire et statim invenire queat. In quem etiam finem, quamprimùm commodè poterunt, componant[4] predicti Canonici inventarium generale sive indicem alphabeticum,§ qui ostendat quærentibus ea quæ in predictis munimentis continentur, et quo loco sive tomo singula habeantur. Cuius indicis duo sint exemplaria, vnum penes Episcopum, alterum penes Capitulum, in domo

* H. 128.

§ The XVIIIth-cent. Inventory is mentioned in *Hist. MSS. Report* (Various), i. p. 338 (1901).

[1] "utque": MS.
[2] "recolligunt": H.
[3] "Edmundi": H.
[4] "componunt": H.

naughty men have perished in the late Troubles: yea that moreover even those which remain to us lie scattered and in confusion, and so can scarcely, or at least with less convenience and readiness, serve for the use of Us and of our brethren: Wherefore, to the end that We may find some remedy for so great an evil, with the judgement and assent of the Chapter, We do ordain and decree, that all registers, volumes, charters, or other instruments whatsoever having respect to our Church shall, within one month from the publishing of these statutes, be laid up in what is called the Muniment House. And those, all and singular, who shall have sworn fealty to the Church of Sarum, and who shall have concealed any of these records in their own dwelling, or shall have been unwilling to restore them within the time prescribed, we adjudge, for this their perfidy or obstinacy, to have incurred sentence of excommunication. Further, We do in the Lord adjure Mr. Dean and all our brethren the Canons, and also every one who hath been nursed in the bosom of this our Church, that with all care and diligence they search out, collect once more, and cause to be conveyed back to the said House, such charters, instruments and books, wherever they may be hid. Moreover, We will and ordain that all the charters, instruments or muniments aforesaid be by Mr. Precentor, Mr. Doctor Hawles, Mr. Doctor Priaulx, Mr. Thomas Henchman and Mr. Edmund Sly diligently weighed and examined, and those which concern the Bishop as well as those which pertain to the Dean and Chapter, or any of the Dignitaries or Prebendaries, be as far as possible stored under their plain titles and in due order, so that with the more ease (as often as need shall arise) every person may have direct access to, and forthwith find, the ones which are needed for his use. To which end also, so soon as they shall conveniently be able, the aforesaid Canons shall compile a general inventory or alphabetical index, to shew searchers the contents of the aforesaid muniments, and in what place or tome they are severally to be found: of which index there shall be two copies, one in the possession of the Bishop, the other to be kept in the

A.D. 1661. munimentorum asservandum. Quod si cuipiam ex membris huius ecclesiæ occasio sit consulendi prædictas chartas, codices aut instrumenta quæcunque, id ita permittatur ut nemini tamen liceat domum munimentorum ingredi ad illa inspicienda nisi ipso custode munimentorum præsente, aut aliquo e Canonicis per eum nominando, cuius erit cauere ne quid a quoquam contra bonam fidem agatur. Denique quod prohibitum a prædecessoribus invenimus Nos quoque prohibemus, ne Episcopo, Decano aut cuiquam de Capitulo tradantur [ad] domum suam deferenda, nisi factâ in scriptis promissione de ijsdem reportandis intra certum dierum terminum, a custode munimentorum præfigendum, quem terminum octo dierum spatium excedere nullatenus permittimus. Si vero pro iure suo defendendo quis petat chartam siue instrumentum quodcunque sibi commodari, quod sit extra clausum foras exportandum, aut coram Judice exhibendum, id nunquam per solum custodem munimentorum, sed per dominum Decanum et maiorem partem Capituli concedendum statuimus, idque non sine competenti obligatione quod illæsum et integrum reportabitur intra tantam temporis metam quam ipsi præstituendam duxerint. Ulterius vero declaramus jus esse cuiuslibet dignitatis et præbendarii chartas et instrumenta quæ ad dignitatem et præbendam suam pertinent tractare ac inspicere neque copiam lustrandi perscrutandi atque examinandi eadem a munimentorum custode cuiquam dignitati vel præbendario debito more petenti denegandum esse.

† H. 128b. † IV. *De decimis, prædiis, sivè red[d]itibus quibuscunque ad firmam datis aut dandis.*

Æquum et rationi consentaneum est vt qui dignitatem præbendam aut officium aliquod in hâc ecclesiâ, Episcopo conferente, obtinuerit, decimas, prædia, sivè reditus eiusdem qualescunque nemini tradat ad firmam,

Muniment House, in the possession of the Chapter. But if any of the members of this Church have occasion to consult the aforesaid charters, volumes or instruments whatsoever, he shall only have leave to do so with the provision that it shall be lawful to no one to enter the Muniment House for the inspection of those records except in the presence of the Keeper of the Muniments himself or of some one of the Canons to be nominated by him, whose duty it will be to take care that nothing be done by any contrary to good faith. Finally, that which We find forbidden by our predecessors We also forbid, namely, that they be not delivered to the Bishop, Dean or any of the Chapter for removal to his own house, unless a promise have been given in writing to bring them back within a certain term of days, to be fixed beforehand by the Keeper of the Muniments, which term We in no wise suffer to exceed the space of eight days. But if, for the defence of his own rights, any shall desire a charter or any instrument whatsoever to be lent to him for carrying away outside the Close, or for exhibition before a Judge, We decree that it is never to be granted by the Keeper of the Muniments alone, but only by Mr. Dean and the more part of the Chapter, and that not without a sufficient bond that it shall be brought back unharmed and whole within the limit of time which they shall have deemed it right to set. But we further declare that it is the right of every Dignitary and Prebendary to handle and inspect the charters and instruments which concern his dignity and prebend, and that opportunity of perusing, inspecting and examining the same shall not be denied by the Keeper of the Muniments to any Dignitary or Prebendary making request in due manner.

IV. *Concerning Tithes, Lands, and Rents, of whatever kind, given, or to be given, to farm.*

It is just and agreeable to reason that whoever, by the Bishop's gift hath obtained any dignity, prebend or office in this Church, shall deliver to no one the tithes, lands or rents of the same, be they what they may, to

A.D. 1661. Episcopo et ecclesiâ prorsus insciis et ignaris. Quapropter vt constet Nobis quibus conditionibus ea singula locentur, cum consensu capituli, Statuimus et ordinamus vt quicunque aliquid prædictorum iam ad firmam dederint, descriptum exemplar suæ indenturæ (si id nondum fecerit) curet in Librum Capitularem inserendum ante festum Pentecostes proximè futurum: quicunque autem post hac aliquid de novo ad firmam locare intenderit, Volumus et hortamur priusquam manum aut sigillum suum apponat alicui indenturæ, tenorem eiusdem Episcopo repræsentare, vt conditiones illæ quæ sunt iniquæ aut Ecclesiæ damnosæ, eo monente, immutentur, et æquiores et vtiliores substituantur. Post autem quam facta, rata et tradita est indentura, infra tres menses offeret Episcopo et Capitulo confirmandam; quibus annuentibus ejusdem exemplar protinus libro capitulari inscribetur. Ne autem sub obtentu boni publici immodicum lucrum videamur captare, Ordinamus insuper et statuimus, quæ certa et definita summa Episcopo, quæ Decano et Capitulo, pro hisce confirmationibus suis sit in posterum pendenda; Nimirum summa quinque marcarum Episcopo, ac totidem Decano et Capitulo quando reditus antiquus rei ad firmam dimissæ non exuperat valorem 40ª librarum: quando autem exuperat hunc annuum valorem 40ª. librarum, Episcopo x marcæ, Decano et Capitulo totidem solventur. Volumus insuper, ut Clerico capituli, siuè Registrario, qui prædictas indenturas in Acta refert, mercedem laboris sui accipere liceat: pro firmis antehac concessis 5 solidos, pro concedendis in posterum 16 solidos et 8 denarios et non amplius. Quod si Episcopus aliquid ad firmam daturus cupiat indenturam in Acta referri, et a Decano et Capitulo confirmari, ijsdem conditionibus vtatur.

farm, while the Bishop and Church are wholly without knowledge and ignorant of the same. Wherefore, that we may clearly know precisely under what terms the properties are let with the consent of the Chapter. We decree and ordain that whoever shall already have given any of the aforesaid to farm shall cause a copy in full of his indenture (if he have not already done so) to be entered in the Chapter Book before the feast of Pentecost next coming; and whoever after this shall purpose to let any property to farm anew, We will and exhort that before he put his hand or seal to any indenture he do represent the tenour of the same to the Bishop, to the end that those conditions which are inequitable or hurtful to the Church be, by his admonishment, altered, and more just and advantageous conditions substituted. Moreover, after the indenture hath been made, ratified and delivered, he shall within three months offer it to the Bishop and Chapter for confirmation; and if they approve it he shall forthwith inscribe a copy of the same in the Chapter Book. But, that we may not seem, under cover of the publick good, to angle for an immoderate gain, We further ordain and decree what fixed and definite sum ought hereafter to be paid to the Bishop, or to the Dean and Chapter, for these their confirmations—to wit, a sum of five marcs to the Bishop, and as many to the Dean and Chapter, when the ancient rent of the property let to farm doth not exceed the value of forty pounds; but, wherever it exceedeth this yearly value of forty pounds, ten marcs to the Bishop and as many to the Dean and Chapter. We will further that it shall be lawful for the Chapter-clerk or Registrary, who reduceth the aforesaid indentures to acts, to receive recompence for his labour: in respect of farms heretofore granted five shillings, in respect of farms to be granted hereafter six shillings and eightpence, and no more. But if the Bishop, intending to put some property to farm, desire the indenture to be reduced to acts, and to be confirmed by the Dean and Chapter, he is to observe the same conditions.

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* H. 129.

* V. *De terris, quæ ad Fabricam seu ad Choristas spectant, dimittendis.*

Bona fides non patitur vt quis privatum suum lucrum ex ijs faciat quæ ad certos publicos, eosdemque pios vsus, fuere olim donata. Hanc nos turpis lucri cupiditatem toto animo aversantes, Ordinamus et statuimus, cum consensu Capituli, quod in decimis, terris, aut red(d)itibus quibuscunque, quæ ad Fabricam Ecclesiæ aut Choristas pertinent, ad firmam elocandis, quicquid nomine finis aut alio quocunque prætextu a firmario exigitur, aut acceptatur, id totum in proprios suos et destinatos vsus, quâ ad fabricam, qua ad choristas, applicetur. Si quis autem (quod absit) huic statuto fraudem fecerit, et ex locatione prædictorum aliquid lucri ad se pertraxerit, omni et omnimodo emolumento quod ei ex fructibus et ex[1] proventibus huius Ecclesiæ, quoquo modo possit accedere, careat, donec duplum ejus quod accepit restituerit, quod ad fabricæ vsum applicari volumus, si ex terris fabricæ, ad choristarum autem, si ex eorum terris ad firmam dimissis iniustum illud lucrum nactus fuerit.

VI. *De annuis præbendariorum concionibus in ecclesiâ cathedrali habendis.*[2]

Qui honorifico aliquo beneficio fruitur in hâc Ecclesiâ nostrâ Cathedrali non debet ad præstanda quæ eidem debentur officia invitus accedere. Quum[3] igitur inter

[1] "ac": H.

[2] The Statute on Prebendaries' Sermons ("*Qui honorifico aliquo beneficio*") was ratified for Lincoln Cathedral almost word for word as in our text (only with a different arrangement as to disposal of the mulct) by Bishop Robert Sanderson, 7th Nov., 1662. (Bradshaw and Wordsworth, iii. 630–631.) I noticed in 1897 a copy of the same "*De annuis Prebendariorum concionibus in ecclesia Lincoln*," among the MS. collections (cod. 952, art. 26) in the Archbishop's library at Lambeth (*id.*, ii. Introd., p. cclxx.), and I expressed my doubt as to authorship, date or provenance (ii. p. xxxvii. *n.*). My suspicions were

V. *Touching the letting of the Lands which pertain to the Fabrick or to the Choristers.*

Good faith suffereth not that any should make his private profit out of those things which have heretofore been given for fixed publick, and those pious, employments. Misliking with our whole heart this greed of filthy lucre, We do ordain and decree, with the consent of the Chapter, that in letting to farm all tithes, lands or rents whatsoever which pertain to the fabrick or to the Choristers, if anything by way of fine or under any other pretext is exacted or accepted from the farmer, it shall all be applied to its proper and destined uses, be it the fabrick or the Choristers. If, however, any one—which God forbid![3]—shall have evaded this statute, and drawn any profit to himself from the aforesaid lettings, let him forfeit all and all manner of emolument which might accrue to him in any way whatsoever from the fruits and profits of this Church, until he have restored double that which he received. The which We will to be applied to the use of the fabrick, if he shall have gotten that unrighteous gain from the lands belonging to the fabrick, but to the use of the Choristers if from the letting of their lands to farm.

VI. *Touching the Annual Sermons to be preached by the Prebendaries in the Cathedral Church.*

He who enjoyeth any honorary benefice in this our Cathedral Church ought not to repair unwillingly to the performance of the duties owing to the same. Forasmuch,

unexpectedly confirmed when, on the temporary removal of the organ from the rood loft in Lincoln Minster in 1898, the very document which was supplied to Lincoln *from Salisbury* at the Restoration, was brought out from the organ case with other papers of the XVIth and XVIIth centuries. (*Lincoln Dio. Mag.*, Sept., 1899.) It appears that in 1475 in Salisbury Cathedral there were 20 sermons a year (for which the Chancellor, Dean, and Chapter were responsible), and that it was usual to allow nine out of that number to Friars Minors and Friars Preachers. (*Salisbury Processions*, p. 154.) On Tuesday, 22nd July, 1448, "Frer" Curteys, Provincial of the Dominicans, "predicauit verbum Dei in sede episcopali eccl. Cathedr. Sar" (Reg. *Burgh*, p. 47).

[3] "quoniam": *Linc.*

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præcipua præbendariorum munia in honorem Dei et[1] matris suæ ecclesiæ obeunda verbi divini prædicatio iure censeatur, [2]Statuimus et[2] ordinamus quod quilibet præbendariorum, qui ex consuetudine antiquâ et receptâ tenetur ad Concionem in eâdem habendam, hoc munere suo fungatur in propriâ personâ, nisi adversâ valetudine aut aliâ legitimâ causâ impediatur quo minus ad statum suum diem id per se possit implere. Quod cum acciderit, permittimus ut quemvis alium a præbendariis suo loco curet substituendum; ita tamen ut qui vices suas alteri commiserit, alterius alicuius intra tres menses (aut saltèm quamprimum com(m)odè possit) ipse præstare teneatur. Ab hoc autem statuto omnes illos qui in Aulâ Regiâ vel in negotiis regni vel ecclesiæ detinentur, necnon sexagenarios omnes, aliosque qui † ab hâc urbe absunt plus quam quinquaginta milliaria, ita exemptos patimur, vt quandocunque contingat ipsos in proprijs personis huic suo concionandi officio deesse, per doctum aliquem et bonæ existimationis virum, ab Episcopo vel Decano et Capitulo approbandum, vices supplere astringantur.§ Si quis verò modo præscripto suo concionandi muneri nullatenus satisfecerit, hunc quinque librarum summâ mulctandum decernimus, quam quidem summam sic distribuendam consemus,—nempe concionatori 40[a] solidos; pauperibus 30 sol.; et fabricæ alios 30 sol. applicandos.[3] Denique qui vices suas alteri cuicunque (qui non sit præbendarius huius ecclesiæ) commiserit, ipse tenebitur septem ante dies Episcopo aut Præsidenti Capituli indicare, quis demum iste sit qui isto

† H. 129[b].

§ "astringatur": *MS.* H.

[1] "edificationem": *Linc.*

[2–2] The Lincoln copy runs thus: "Nos Robertus providentia Divina Lincoln episcopus, cum expresso consensu et assensu Decani et capituli eiusdem ordinamus. . . ." I believe that this statute was originally enacted by Bishop Davenant for Salisbury, in 1635, and revised by Bishop Henchman in 1661, before it was sent to Lincoln. The Cathedral Commissioners of 1852, in their First Report, 6th April, 1854, p. xx. *n.*, cite as an "ancient rule at Salisbury" as regards Cathedral sermons: "Conciones habuerunt matutinas Canonici residentiarii—Vespertinas, Prebendarii quibus Dominicæ assignantur: illi, inter septa

therefore, as among the principal functions of the Prebendaries, to be undertaken for the honour of God and their mother Church, the preaching of the Word of God is rightly reckoned, We do decree and ordain that every Prebendary who of ancient and received custom is bound to preach a sermon in the same shall perform this his duty in his own person, except he be hindered by ill health or other lawful cause from being able to fulfil it of himself on his stated day. But if this shall happen, We give him permission to see that any other of the Prebendaries be substituted in his place; yet so that he who shall have entrusted his turn to another be bound himself to take the turn of some other within three months, or at least as soon as conveniently may be. Notwithstanding, from the obligation of this statute We suffer all those to be exempt who are detained in the King's Court or in business of the Realm or of the Church as well as all who may be of the age of sixty years, and others who are more than fifty miles away from this City; so however that, when it shall happen for them to make default in this their duty of preaching in their own persons, they be bound to supply their turn by means of some learned and well-reputed man, to be approved by the Bishop or by the Dean and Chapter. But if any one shall have wholly failed to fulfil his duty of preaching in the way prescribed, We decree that he be fined in the sum of five pounds; which sum We prescribe to be distributed thus:—to the preacher forty shillings; to the poor thirty shillings; and to the fabrick other thirty shillings. Finally, whoever shall have entrusted his turn to any other whatsoever who is not a Prebendary of this Church, he shall be bound to signify, seven days before, to the Bishop or the President of the Chapter, who it is that is

altaris inferiora: hi, in nave Ecclesie." In the MS. *Constitutiones*, p. ii., however, the date (not very "ancient") is thus supplied: "In præsentiâ Regis, Peste Londini grassante, 1665." The order of Preaching Turns was revised in 1866. It is printed on pp. 18, 19 of the *Sarum Almanack and Diocesan Kalendar*, 1913. See also below, *s.a.* 1888.

[3] "Concionatori 20*s.*, reliquum autem vicariis choralibus aliisque in choro dictae ecclesiae cathedralis [Lincoln] servientibus, juxta Decani et Capituli arbitrium dispertiendum." (*Stat. Lincoln*, 1661.)

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VII. *De domibus et cancellis reparandis, et præbendarum conditionibus in libro inscribendis.*

Quod prædecessores nostri de ruinosis in clauso domibus reparandis provide ordinarunt, id Nos non sinè gravi huius ecclesiæ incommodo posse negligi iudicamus. Quapropter statutum illud ad pristinum robur revocantes, atque eidem nonnulla adijcientes, cum judicio et assensu Capituli, decernimus; Vt omnes in Clauso domus, sivè sint vicariorum sivè præbendariorum, quotannis ante festum Paschæ per Decanum et Capitulum, vel quos illi ad hanc provinciam destinaverint, inspiciantur, et si quæ ruinosæ aut parùm sartæ tectæ inveniantur, illi quorum culpâ id evenit cogantur ad terminum a Domino Decano præfigendum, (quod § intra quindecim mensium spatium includi volumus) eas sufficientèr et condecentèr reparare. [2] Domos vero istas canonicales quæ modò Præcentori assignatæ sunt, nolumus hoc nostro decreto includi.[2] Quod etiam attinet ad domos aut templorum cancellos extra hanc vrbem, quæ ad Decanum et Capitulum, aut quemvis huius ecclesiæ * dignitatem aut canonicum, spectant, Ordinamus vt, quam primùm commodè fieri poterit, videantur, et defectus eorundem per illos quibus id oneris incumbit intra duos annos emendentur. Atque ut nobis et successoribus nostris constet, quoties, quando, et per quos, Ecclesia in præmissis aliquid detrimenti capiat, volumus quotannis domos, cancellos, cæteraque quæ reparatione indigent, vnâ cum nominibus eorum qui ad ea reparanda tenentur nobis in scripto exhiberi. Denique, quod in statuto [3] cuius initium est—"*Ad certitudinem præsentium*

§ "quos": *MS.* H. *q.d.* "menses" (avoiding an ambiguous "quem"). (Sorex.)

* *MS.* H. f. 130.

[A.D. 1319, cap. xvii.; p. 180, *supra.*]

[1] "Aliter summam 10*s.* pendere tenebitur fabricae applicandum": *Linc.*

about to perform that duty; otherwise he shall be bound to pay a sum of twenty shillings.

VII. *Touching the repairing of Houses and Chancels, and inscribing the conditions of the Prebends in a Book.*

The ordinance made by the care of our predecessors concerning the repair of ruinous houses in the Close, the same, We judge, cannot be neglected without serious harm to this Church. Wherefore, recalling that statute to its first force and vigour, and adding some things to the same, with the judgement and assent of the Chapter, We decree that all the houses in the Close, whether those of Vicars or of Prebendaries, be inspected every year before the festival of Easter by the Dean and Chapter, or whomsoever they shall have appointed to this duty; and, if any be found ruinous or in bad repair, those by whose fault that hath happened shall be compelled, within a time to be fixed beforehand by Mr. Dean (which it is our pleasure shall not exceed the space of fifteen months), to repair them sufficiently and becomingly. Notwithstanding, the canonical houses which have lately been assigned to the Precentor are not to be included in this our decree. Also, as regards the houses or chancels of Churches, outside this City, which pertain to the Dean and Chapter or to any Dignitary or Canon of this Church, We ordain that, as soon as conveniently may be, they be viewed, and their deficiencies made right, within two years, by those on whom that burden is incumbent. And that We and our successors may ascertain how often, when, and by whom the Church taketh any hurt in the premisses, it is our pleasure that in every year the houses, chancels, and the things which need reparation be exhibited to us in writing, together with the names of those who are bound to repair them. Finally, the former requirement contained in the statute[3] beginning with the words, *For the*

[2–2] In the margin here Bishop S. Ward (or Canon Walton) has written the word "*Sorex*," *i.e.* a shrew or field mouse.

[3] This statute is § xvii. of the Code of Bishop Roger de Mortival, which is headed "De prebendarum condicionibus clarius conscribendis." (See above, p. 180.)

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et memoriam futurorum"—olim ordinatum fuit de libro conficiendo in quo describerentur singularum præbendarum consuetudines, homagia, redditus, terræ, bosci, prata, pasturæ, et alia quæcunque eas tangentia, id nos perutile et pernecessarium esse censemus. Nam licet ante ducentos annos sub Johanne Chandler, Decano, magnâ ex parte statutum illud observatum fuit, adeoque e libro quodam (quem vocant "*Decani Chaundler Librum*" ab ipso confectum) quamplurima peti possunt quæ huic vsui inserviunt, tamen quia longo temporis decursu multa adeo immutata sunt atque inversa, vt sæpius quæ ibi descripta † sunt præsentis ævi sensibus subobscura videntur, ac interprete indigent;—et præterea omnia illa quæ [pertinent ad] § dignitates sive personas huius ecclesiæ, ac archidiaconos, eorumque terras et redditus, necnon omnium præbendarum terras et redditus ‖ (tum [2]quæ in alienis diœcesibus sitæ erant, tum quæ in via permutationis et ex vigore[2] nonnullorum Actuum Parliamenti huic nostræ ecclesiæ accessere), et quæcunque præbendæ iuridictioni Decanali non sunt subiectæ, in dicto libro penitùs omissa, neque enim in eundem recipi potuerunt;—quapropter dignitatibus et præbendarijs singulis mandamus, et statuendo iniungimus, vt in corpora dignitatum ac præbendarum suarum inquirant, aut per idoneos et bonæ fidei viros inquiri faciant, et singula prædicta ad easdem pertinentia, quantâ possunt † accuratione, scripto comprehendant, ac Decano et Capitulo ante completum anni vnius spatium exhibeant. Volumus denique et decernimus ut postquam ea fuerint exhibita, Decano et Capitulo procurante, in librum vnum compingantur, qui in domo munimentorum ad perpetuum posteritatis vsum asservabitur.

† "descriptæ": *MS.* H.

§ "pertinent ad." These words are supplied in the printed text by Dayman and Jones.

‖ (qæ'), *sic.*

† H. 130[b].

[1] Bishop J. Chandler's Register, while he was Dean, extends from A.D. 1405 to 1417. It was continued by Simon Sydenham till 1425, and is a square parchment book among the Dean's muniments.

[2–2] Here Bishop Ward has written "qæ'" (probably for *Quære*) in

certifying of the present and for future record, viz. that a book should be compiled wherein should be described the customs of each prebend, its homages, rents, lands, woods, fields, pastures, and all other matters pertaining to the same, this We deem very advantageous and necessary. For albeit under Dean John Chaundler, two hundred years earlier, that statute was to a great extent observed, and out of the book called *Dean Chaundler's Book*, compiled by himself, very many things can be fetched which serve the present purpose, nevertheless, seeing that by long lapse of time many things have been changed and altered, and oftentimes the things described there are somewhat obscure to the understanding of the present age and need an interpreter; and seeing moreover that all those things which pertain to the Dignitaries or "Persons" of this Church, and to the Archdeacons and their lands and rents, and also the lands and rents of all the prebends, as well those which were situate in strange dioceses as those which have accrued to this Church by way of exchange and by the force of certain Acts of Parliament, and whatever prebends are not subject to the Dean's jurisdiction, are wholly omitted in the said book, and indeed could not have been included in the same: for these reasons We command and statutorily enjoin on all Dignitaries and Prebends, that they enquire into the *corpus* of their dignities and prebends, or cause enquiry to be made by meet and trustworthy men, and that all the aforesaid matters pertaining to the same they comprehend in writing, with all the accuracy they may, and exhibit to the Dean and Chapter before the completed space of one year. Finally, We will and decree that, after they have been exhibited, they be, under the supervision of the Dean and Chapter, bound together in one book, which shall be kept in the Muniment House for the perpetual use of posterity.

the margin. The proceedings at the Pentecostal Chapter held on the morning and afternoon of Wednesday, 2nd June, 1669, are printed in full in the First Report of the *Cathedral Commissioners*, 6th April, 1854, appendix, pp. 762-5. Dean Pierce presided, and Bishop Seth Ward attended in person.

A.D. 1671.

DECRETUM SIVE STATUTUM DE DIMISSIONIBUS TERRARUM, &c., FACTUM IN PRIMA VISITATIONE DOMINI SETHI [WARD], SARUM EPISCOPI.[1]

[Statute Book (H), *fol.* 135.]

Monday, 16 Oct., 1671.

Statuta Sethi Episcopi, in Visitatione Di. inchoata Octob. 3, 1671; finita Oct. 3, 1672.

DIE Lunæ, videlicet decimo sexto die Mensis Octobris Anno Domini 1671, Dominus Episcopus in domo capitulari pro tribunali sedens, Decano, Canonicis et Præbendariis, alijsque præsentibus, quorum aliquo modo interesse potuit, non solum consentientibus verùm etiam rogantibus, pro potestate qua pollebat Visitatoria, decrevit;—

1mo Quod nemini e Quatuor Personis, vel Archidiaconis, vel Præbendarijs hujus ecclesiæ deinceps licebit dignitatum suarum Corpora, aut aliquam partem earundem, cuiquam hominum in firmam dimittere, aut dimissionis Instrumento alicui manum aut sigillum apponere, priusquam istud Instrumentum in terminis conceptis ab Episcopo pro tempore existente, et a Decano et Capitulo, aut eorum saltem parte alterutra Chirographo suo approbetur, sub pœnâ Excommunicationis.

2do Item, quod nemini eorum licebit corpus dignitatis aut præbendæ suæ, aliquamve partem ejusdem, ad firmam dimittere, nisi reservato sibi et successoribus suis patronatu et jure præsentationis ad Rectorias atque Vicarias, si quæ fuerint, ad corpus corporisve partem istam pertinentes, sub pœna Excommunicationis.

3° Item, quod nemini eorum licebit Corpus Dignitatis aut Præbendæ suæ, aut aliquam ejus partem, ad firmam dimittere, nisi fuerit Inventarium Terrarum seu (ut dicitur) "Terrarium," in ipsum dimissionis

A DECREE OR STATUTE CONCERNING THE LEASING OF LANDS, MADE AT THE FIRST VISITATION OF SETH, LORD BISHOP OF SARUM.[1]

ON Monday, the sixteenth day of October, in the year of our Lord 1671, the Lord Bishop sitting enthroned in the Chapter House, not only with the consent but at the prayer of the Dean, Canons, Prebendaries, and others present[2] who in any way might be concerned, in accordance with the visitatorial power possessed by him, decreed as follows:—

1mo That it shall not be lawful hereafter for any of the Four Persons or Archdeacons or Prebendaries of this Church to let to farm the *corpus* of their dignities, or any part of the same, to any man, or to put hand or seal to any deed of leasing before that deed in set terms be approved by the Bishop for the time being and the Dean and Chapter, or the one or other of them, in writing, under pain of excommunication.

2. *Item*, that it shall not be lawful for any of them to let to farm the *corpus* of his dignity or prebend, or any part of the same, except with the reservation to himself and his successors of the patronage of and right of presentation to the rectories and vicarages, if any there be, pertaining to the *corpus* or that part of it, under pain of excommunication.

3. *Item*, that it shall not be lawful to any of them to let to farm the *corpus* of his dignity or prebend, or any part thereof, except there be an Inventory of the lands, or Terrier, as it is called, inserted and inscribed in the

[1] This Decree of Bishop Seth Ward is written in MS. *H.* in the handwriting of Isaac Walton, Preb. (of Yatesbury, 1678; Bishopston, 1679; Netheravon, 1680–1719), and Canon Residentiary, son of Izaak Walton, the author of the *Compleat Angler*, etc.

[2] Bishop Seth Ward notes in the margin that the Vicars Choral petitioned to be excused from *Art.* 1, and that they were accordingly sworn to *Arts.* 2, 3 and 4, at the Palace, 29th Sept., 1673, before the Bishop and certain Canons.

A.D. 1671. Instrumenti corpus insertum atque inscriptum, aut eidem annexum, sub pœna consimili.

16 Oct. 4° Item, quod nemini eorum sub pœna consimili licebit Corpus Dignitatis aut Præbendæ suæ, aut aliquam ejus partem, ad firmam dimittere, nisi inserta prius in corpus instrumenti dimissionis pactione, qua dilapidationum, taxationumque, tam publicarum quam privatarum, (decimis et subsidijs solummodo exceptis) onera tenentibus imponantur; personis interim, archidiaconis et præbendariis, eorumque successoribus, ab oneribus prædictis liberatis omninò et immunibus.

† H. 135b. † 5° Item, quod neque Decano et Capitulo neque alicui de Capitulo dimissionis instrumentum aliquod sub Ecclesiæ sigillo confirmare licebit, antequam omnes novæ dimissionis conditiones videantur et approbentur, uti supra decretum est, atque in ipso dimissionis instrumento plane et dilucide exprimantur sub pœna Excommunicationis. Quæ quidem Excommunicatio in casibus omnibus et singulis præmemoratis eo plane modo infligenda erit, quo modo et forma in compositione pro jurisdictionis exercitio inter Episcopum et Ecclesiam Cathedralem Sarum olim est provisum atque constitutum.[1]

Statutum de Capis recognitum.

[Statute Book (H), *fol.* 132.]

3 Oct. 1672. Cum a bonæ memoriæ Prædecessore nostro Thoma Langton,[2] ecclesiæ Sarum episcopo, pro statuto perpetuo

[1] The following note in the handwriting of Bishop Seth Ward is appended to the above document (*MS.* H., 135*b*), and he adds, "Autographon est penes Decanum":—

"*Mem.*:—The four first of these statutes were (April 4th, 1674) by my self, S. S. and Dr. R. B[aylie], Dean of Sarum, propounded to Sir W. Jones, the King's Sollicitor, and his judgment concerning them desired, which he returned written *in hæc verba:*

"'Of these I think the *three last* undoubtedly good, being matters tending to the good and benefit of the Church, and in doeing which no

actual body of the deed of leasing, or annexed to the same, under a like penalty.

4. *Item*, that it shall not be lawful, under a like penalty, to any of them to let to farm the *corpus* of his dignity or prebend, or any part thereof, except there have been first inserted in the body of the deed of leasing a covenant whereby the burden of dilapidations and taxes, as well publick as private (tithes and subsidies alone excepted), is placed on the tenants, the Persons meanwhile, the Archdeacons and Prebendaries and their successors, being altogether freed and immune from the aforesaid burdens.

5. *Item*, that it shall not be lawful either to the Dean and Chapter or to any of the Chapter to confirm any deed under the Church's seal, until all the conditions of the new lease are viewed and approved, as hath been decreed above, and until they be plainly and clearly expressed in the actual deed of leasing, under pain of excommunication. The which excommunication, indeed, in all and singular the afore-rehearsed cases, must needs be inflicted in that manner, and no other, in which manner and form it hath formerly been provided and established in the agreement for the exercise of jurisdiction between the Bishop and the Cathedral Church of Salisbury.

Ratification[2] *of the Statute "concerning Copes."*

Whereas by our predecessor of honoured memory, Thomas Langton, Bishop of the Church of Salisbury,[3] it

prejudice can accrue to any body. But of the *first* I make some doubt, because it putts it into the power of the Bishop or Dean and Chapter whether a prebend[ary] shall ever make a Lease or not, for it is in their Power whether they wil approve or not. Wherefore I thinke it better if it were made thus—"unless the forme of the lease before sealing was shewen to them."

"'Also I thinke that if one shall breake a local statute made according to Law and Reason, he may be punished by Ecclesiastical Censures, such as Excommunication, Suspension, etc.

"'4 April, 1674. (Signed) Wm. Jones.'"

[2] *Recognoscere* in late Latin implies recognition, declaration or ratification rather than revision. (*D'Arnis.*)

[3] Bishop T. Langton's *Statutum de Capis*, 19th April, 1490. See p. 344.

A.D. 1672. ordinatum olim fuerit, ut Episcopus omnis, quilibet etiam ex quatuor Personis, Archidiaconis, et Canonicis, in ecclesiâ Sarum ab eo tempore deinceps installandus, certas pecuniarum summas pro Capis in usum Ecclesiæ prædictæ procurandis persolveret; cumque (abeunte in desuetudinem caparum usu adeo frequenti) a piæ memoriæ predecessore § nostro Joanne Juello[1] ejusdem ecclesiæ episcopo, sub ecclesiasticarum censurarum pœna, ordinatum etiam fuerit, ut summa pecuniarum pro capa solvi consueta a quolibet canonico tempore installationis suæ solveretur, unde factum est ut summarum initio præstitutarum solutio in Personis, Archidiaconis et Canonicis ab antiquo in ecclesia constitutis ad hunc usque diem obtinuerit, atque ut Canonici præbendarum noviter (per permutationem) acquisitarum, pro ratione præbendarum, certas etiam summas eodem cum prioribus nomine hactenus persolverint; cum denique in visitatione ecclesiæ nostræ (nondum finita) Nobis inter alia delatum fuerit, solitos olim fuisse hujus ecclesiæ episcopos, ante serenissimi Regis Caroli secundi reditum (ecclesiæque Anglicanæ restitutionem) summam viginti librarum ipsis impositam in usum ecclesiæ persolvere, verum ab isto tempore Episcopos installatos ab istius summæ solutione abstinuisse (de cujus rei veritate altiùs inquirendum esse decrevimus), Nos igitur SETHUS, miseratione divina Sarum Episcopus, facta inquisitione diligenti et re tota (cum annexis, connexis, cæterisque circumstantijs) æquo (uti speramus) animo perpensa, ne forsan Episcoporum exemptio a solutione summæ prædictæ siue exempli pretextu, sive reipsa, cedat deinceps in ecclesiæ nostræ damnum atque detrimentum, Declarandum esse duximus adeòque per presentes declaramus, post statutum a Thoma Episcopo conditum, singulos episcopos hujus ecclesiæ pro tempore existentes (nostrâ

§ "Dæcessore": H.

[1] See above, pp. 384, 386 (5th June, 1560).

hath been formerly ordained, by way of perpetual statute, that every Bishop, and each of the Four Persons, the Archdeacons and Canons, to be installed from that time forward in the Church of Salisbury should pay certain sums of money for the provision of copes for the use of the said Church; and whereas—the frequent use of copes falling into desuetude—it hath also, by our predecessor of pious memory, John Jewell, Bishop of the same Church,[2] been ordained, under penalty of ecclesiastical censures, that the sum of money accustomed to be paid for a cope should be paid by each Canon at the time of his installation; whence it hath come to pass that the payment of the sums originally contributed by the Persons, Archdeacons, and Canons of old constituted in the Church hath obtained to this very day, and that the Canons, in respect of prebends newly acquired by exchange, have hitherto paid, in proportion to their prebends, certain sums also under the same head as the former ones; finally, whereas in the Visitation (not yet finished) of our Church it hath been reported to Us, among other matters, that at one time the Bishops of this Church were accustomed, before the Return of the most gracious King Charles the Second, and the Restoration of the Church of England, to pay a sum of twenty pounds imposed on them for the use of the Church, but that from that time the Bishops, when installed, have forborne the payment of that sum: concerning the truth of which matter we have determined that fuller enquiry should be made: We therefore, SETH, by the Divine mercy Bishop of Sarum, after making diligent enquiry and weighing the whole matter, together with all the circumstances connected and united with it, with, as We trust, an impartial mind (lest perchance the exception of the Bishops from the payment of the aforesaid sum, whether under colour of precedent, or in actuality, issue hereafter in the hurt and detriment of our Church), have deemed right that it should be declared, and We do by these presents declare that, in accordance with the statute enacted by Bishop Thomas, every Bishop of this Church for the time being (in our opinion) ought to have

[2] Revision of Bishop Thomas Langton's Statate on *Cope-money*, by Bishop J. Jewel, 5th June, 1560. (See pp. 384, 386.)

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sententiâ) debuisse summam *viginti librarum* in usum aliquem ecclesiæ erogare,† ideoque Nos ipsos de officio in hac parte persuasos summam viginti librarum in ornamentum et decus ecclesiæ nostræ cathedralis collocandam jam persolvisse.

† H. 132b.

Porro ut nulla deinceps de pecuniarum istarum solutione, receptione vel erogatione dubitatio oriatur, Nos, SETHUS, episcopus prædictus, cum consensu et assensu Decani et Capituli pro nobis et successoribus nostris tenore presentium statuimus et ordinamus,—Quod successores nostri, ecclesiæ Sarum episcopi pro tempore futuri, infra sex menses a tempore installationis respectivè numerandos, Communario hujus ecclesiæ pro tempore dabunt, aut dari facient, summam *viginti librarum* in usum aliquem ecclesiæ Cathedralis pro arbitrio ipsorum (cum consensu tamen Decani et Capituli) collocandam. Statuimus insuper et Ordinamus quod Installationum suarum temporibus in manus Communarij pro tempore in usum ecclesiæ persolvent,—quilibet Decanus hujus ecclesiæ summam *decem marcarum;* quilibet Præcentor, Cancellarius, Thesaurarius, Archidiaconus§ Berks, Sarum, et Wilts, nec non Canonici et Præbendarii de Teynton, Highworth, Burbage et Husborne, et Ilfracomb summam *quinque librarum;* Canonici et Prebendarii de Grimston, Chessimbury et Chute, Bitton, Bedminster, Combe et Harnham, Netherbury in Ecclesia, Fordington, Shipton, Stratton, et Ufculmb, summam *quatuor librarum;*—item Canonici et Præbendarij de Grantham Australi, Grantham Boreali, Bemister prima, Bemister secunda, Alton Pancras, altera Alton, Netherbury in terra, Torleton, Bishopston, Yatminster prima, Netherhaven, Durnsford, Woodford, Slape, Preston, Lyme et Halstock, Chardstock, Yatminster secunda, Gillingham majore, Winterbourne Comitis, summam *quinque marcarum;* cæteri autem Canonici et Præbendarij, nempe de Warmister, Stratford, Yatesbury, Ruscomb, et Gillingham minore, *triginta tres solidos et quatuor denarios.* De quibus pecuniarum summis hoc nomine receptis Communarius

§ "Archidiacony": *MS.* H.

paid a sum of twenty pounds for some Church use, and accordingly that We ourselves, being persuaded of our duty in this behalf, have paid the sum of twenty pounds to be expended in the beautifying and adornment of our Cathedral Church.

Further, to the end that no doubt may hereafter arise touching the payment, receipt, and expenditure of these moneys, We, SETH, the aforesaid Bishop, with the consent and assent of the Dean and Chapter, for ourselves and our successors, according to the tenour of these presents, do decree and ordain that our successors, Bishops for the time being of the Church of Salisbury, within six months to be reckoned from the time of their installation respectively, shall give, or cause to be given, to the Communar for the time being of this Church, a sum of twenty pounds for some use of the Cathedral Church, to be laid out at their discretion, but with the consent of the Dean and Chapter. Moreover, we decree and ordain that at the times of their installation there shall be paid into the hands of the Communar for the time being, to the use of the Church, by every Dean of this Church a sum of ten marcs; by every Precentor, Chancellor, Treasurer, Archdeacon of Berks, Sarum and Wilts, also by the Canons and Prebendaries of Teynton, Highworth, Burbage and Husborne and Ilfracombe, a sum of five pounds; by the Canons and Prebendaries of Grimston, Chissenbury and Chute, Bitton, Bedminster, Combe and Harnham, Netherbury in Ecclesia, Fordington, Shipton, Stratton and Ufculmb, a sum of four pounds; also by the Canons and Prebendaries of Grantham Australis, Grantham Borealis, Beminster prima, Beminster secunda, Alton Pancras, the other Alton, Netherbury in terra, Torleton, Bishopston, Yatminster prima, Netheravon, Durnford, Woodford, Slape, Preston, Lyme and Halstock, Chardstock, Yatminster secunda, Gillingham Major, Winterbourne Earl's, a sum of five marcs; and by the other Canons and Prebendaries, to wit of Warminster, Stratford, Yatesbury, Ruscombe and Gillingham Minor, thirty-three shillings and fourpence. Concerning which sums of money received under this head, every Communar for the time

A.D. 1672. quisque pro tempore existens tempore solennis atque, (secundum statuta aut consuetudinem hujus ecclesiæ) * H. 133. annualis computi * (ut in cæteris fidei suæ commissis) rationem reddet.

Statuimus denique, et cum consensu Decani et Capituli Ordinamus, uti de cætero omnes pecuniæ hujus statuti virtute percipiendæ in usum ecclesiæ nostræ cathedralis Sarum prædictæ, vel sustentandæ vel honestandæ atque ornandæ pro arbitrio nostro et successorum, cum Decani et Capituli consensu, (prout in Dei gloriam atque ecclesiæ utilitatem magis videbitur ipsis cessurum), perpetuis temporibus erogentur.

Quod si quis ecclesiæ nostræ deinceps installandus huic nostro statuto, (veteri ecclesiæ hujus tam statuto, tam etiam consuetudine, nitenti,) refragetur, ipsum, donec (summan ipsi impositam persolverit, vel cautionem sufficientem (a Decano et Capitulo approbandam) actualiter exhibendo). Decano et Capitulo satisfecerit, minimè installandum esse decernimus atque Ordinamus.

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3 Octob. 1672. *Statutum de residentia Personarum.*

[Statute Book (h), *fol.* 133.]

MS. Constitutiones (paper) 104[b].

Cum per statuta et ordinationes ecclesiæ nostræ Sarum quatuor ejusdem Personæ (Decanus, Præcentor, Cancellarius, et Thesaurarius) strictissimo juramenti vinculo teneantur continuè residere (quibus etiam absentiæ dispensationem fas non est accipere, nedum rogare), quibus tamen sive statutis sive juramentis minimè in contrarium valentibus, soliti sunt hactenus omni ferè ætate non sine gravi animarum periculo, religionis scandalo, et ecclesiæ detrimento, nonnulli ex Personis nullo omnino aut modo aut tempore in ecclesiâ Residentiam tenere ;—

being, at the time of the regular and (according to the statutes or custom of this Church) annual reckoning, shall, as in the case of all other things committed to his trust, render accompt.

Finally, We decree, and with the consent of the Dean and Chapter do ordain, that henceforth all moneys to be received by virtue of this statute be for ever expended for the use of our Cathedral Church of Salisbury aforesaid, or the sustentation, beautification and adornment thereof,[1] at the discretion of ourselves and of our successors, with the consent of the Dean and Chapter, as shall seem to them more likely to issue to the glory of God and the advantage of the Church.

But if any member of our Church hereafter to be installed shall resist this our statute, resting as it doth as well on ancient enactment of this Church as on custom, We decree and ordain that, until he shall have paid the sum imposed on him, or shall have satisfied the Dean and Chapter by actually exhibiting a sufficient caution, to be approved by the Dean and Chapter, he shall in no wise be installed.[1]

Statute touching the Residence of the "Persons."

Whereas by the statutes and ordinances of our Church of Sarum the Four Persons of the same—the Dean, Precentor, Chancellor and Treasurer—are bound by the most strait bond of an oath to reside continuously, for whose absence, moreover, no dispensation may be received, far less asked; the which statutes or oaths nevertheless having no force to prevent them, some of the Persons have hitherto of almost every age been wont to keep no residence in the Church whatsoever or at any time, to the grievous peril of souls, scandal to religion and the Church's harm:—

[1] Bishop Seth Ward repaired the pavement of the Cloister from his garden to the south transept, laid the whole choir with squares of black and white marble, and "made the Bishop's and Dean's and all the Prebends' stalls new and magnificent." (Dr. Walter Pope's *Account of Bishop Ward.*)

A.D. 1672.

† *MS.* H. f. 133ᵇ.

Nos igitur SETHUS, miseratione divinâ Sarum Episcopus, omnibus istis incommodis, (adhibito moderamine) obviam ire cupientes, † vocatis prius in consilium Decano et Capitulo, cum eorum omnium et singulorum assensu et consensu statuimus atque ordinamus,—Quod, (ad religionis sacro-sanctæ promotionem, ecclesiæ honestatem atque adjumentum) ex Quatuor Personis unus aliquis semper adsit in ecclesiâ Residens, (id est, non modò infra clausum moretur aut ibidem habitet, verum etiam sacris in ecclesiâ nostrâ cathedrali jugiter intersit, hospitalitatem teneat, cæteraque omnia peragat quæ ad residentiam legitimam per statuta et ordinationes hujus ecclesiæ requiruntur) atque hanc legem (suo quasi modo) sacram esse volumus, nullo excusationis colore eludendam. Hoc autem ut commodius obtineatur, unicuique ex Quatuor Personis tres menses sibi proprios atque peculiares futuros quibus resideant assignandos esse duximus, atque adeo per presentes assignamus:—nempe DECANO, menses Julii, Augusti et Septembris,—PRÆCENTORI, menses Octobris, Novembris et Decembris; CANCELLARIO, Aprilis, Maij et Junij, THESAURARIO, Januarii, Februarii et Martii. Quod si quem ex Quatuor istis Personis causa vel sontica[1] vel aliquo modo necessaria, (judicio siue Episcopi sive Decani et Capituli æstimanda,) a personaliter residendo tempore sibi ad residentiam assignato detineri contigerit, licebit ipsi, cum approbatione siue Episcopi siue Decani et Capituli, cum alio quopiam, vel aliquibus ex Quatuor Personis residendi vices permutare, ita tamen ut infra anni curriculum tres menses siue continuos siue intercisos personaliter residendo vices ipse suas rependat. Qua in re (siue integra siue parte ejus aliqua) si defecerit, pro ratione (seu proportione) quinque librarum per mensem in usum ecclesiæ (quoad ejusdem vel sustentationem vel ornatum

[1] *Sontica causa:* a reason or excuse connected originally with the *morbus sonticus*, or *comitialis*, viz. epilepsy. As the *morbus sacer*

We therefore SETH, by the Divine mercy Bishop of Sarum, desiring by the employment of discipline to check all those inconveniences, after first calling the Dean and Chapter into counsel, do decree and ordain:—That, for the advancement of holy religion, and the credit and support of the Church, some one of the Four Persons shall always be there resident in the Church; that is to say, not only lodge within the Close or make his abode there, but also take an active part in the services of religion in our Cathedral Church, keep open house, and perform every other duty required for lawful residence by the statutes and ordinances of this Church; and it is our pleasure that this law should (after its own sort) be in a manner sacred, to be evaded under no colour of excuse. And that this may the more conveniently be made good, We have determined that to each of the Four Persons three months, proper and peculiar to himself, shall be assigned for residence, and by these presents We thus assign them:—viz. to the Dean the months of July, August and September; to the Precentor the months of October, November and December; to the Chancellor those of April, May and June; to the Treasurer those of January, February and March. But if any of the Four Persons for some grave or necessary cause, to be estimated by the judgement either of the Bishop or of the Dean and Chapter, shall happen to be detained from personally residing at the time assigned to him for residence, it shall be lawful for him, with the approval either of the Bishop or of the Dean and Chapter, to change turns with some other or others of the Four Persons, so nevertheless that within the course of the year, by personally residing for three months, either continuous or broken, he shall repay his turn. In which matter, whether wholly or in part, if he shall have made default, We decree and ordain that he must be fined according to the rate or proportion of five pounds *per mensem*, for the use of the Church, in respect of the sustentation or adornment

or falling sickness, disqualified the whole assembly, so a serious or dangerous illness excused the individual sufferer from public duty.—Fragm. of the Laws of the XII. Tables. Cf. Tibullus, I. viii. 51.

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pro arbitrio Episcopi, Decani et Capituli) absque ulla relaxationis spe mulctandum eum esse decernimus atque ordinamus: Atque hæc quidem pro residentia Personarum perpetua lex esto. Ad hanc saltem observandam Personas modo in ecclesiâ existentes virtute juramenti in admissione suscepti obligari se noverint; ad hanc eorum successores ante installationem eorum juramentis expliciter deinceps astringantur.

* *MS.* H. f. 134.

*Quod si (quod absit) Personarum aliquis ad moderatam hanc normam (vel personaliter residendo vel mulctam in usum ecclesiæ solvendo) seipsum componere recusaverit, illum per episcopum in domo Capitulari (Capitulo si voluerit assistente) primò, iterùm, atque tertiô canonicè admonendum; deinde, si persistat, ecclesiastica censura feriendum. Tandem si obstinato animo pertinacius renitatur, eum ab episcopo pro tempore, in domo capitulari (Capitulo si voluerit assistente) ab officio atque dignitate quam in ecclesia tenuerit perpetuo amovendum esse decernimus atque Ordinamus.[1] In cuius rei testimonium Sigillum nostrum episcopale necnon Decani et Capituli presentibus apponitur. Datum in Palatio Episcopali apud Sarum, 3^io^ die mensis Octobris a^o^ 1672°.

(Palace, 3 Oct. 1672.)

[1] The following note is appended to the copy of the above statutes: "Quoniam Reverendus admodum vir Dns. Edwardus Davenant S.T.P. hujus ecclesiæ Thesaurarius, senio varijsque infirmitatibus ita laborat, ut personaliter in ecclesiâ residere sine gravissimo sui ipsius incommodo nullo modo possit; Nos, igitur, Sethus permissione divina Sarum Episcopus, cum consensu pariter et assensu Decani et Capituli, libertatem ipsi relinquimus, (Personarum nemini posthac concedendam,) ut liceat illi, si ita visum fuerit, pro tempore suo, personalem residentiam *decem librarum* in usum ecclesiæ annuali solutione ab hoc tempore deinceps incipiendo redimere. Hæc dispensatio de residentia Domini Doctoris Davenant in ('conventu' *altered to*) visitatione episcopali lecta et approbata fuit per Dominum Episcopum, Decanum etiam et canonicos tunc et ibidem præsentes."

The text and the additional note (with the exception of the dating clause) are both in the handwriting of Bishop Seth Ward himself. Dean Pierce pointed out the weakness of this Statute, by which, if the dignitaries or Canons counted as residentiary chose to pay a fine of £15 a year, the residence at Salisbury might be "brought down to none at all."

of the same, at the discretion of the Bishop, Dean and Chapter, without any hope of relaxation. And let this be a perpetual law for the residence of the Persons. At least the Persons that are in the Church must now know that they are obliged to its observance by virtue of the oath taken at admission. And thereto let their successors be henceforth explicitly bound by oaths before their installation.

But if (which God forbid) any of the Persons shall have refused to conform himself to this moderate rule, as regards either personally residing or else paying a fine for the Church's use, him we decree and ordain to be by the Bishop in the Chapter House—the Chapter if it will being present—a first, second and third time canonically admonished; afterwards, if he persist, to be visited with ecclesiastical censure; and finally, if he obstinately and pertinaciously refuse, that he be by the Bishop in the Chapter House, the Chapter if it will being present, removed for ever from the office and dignity held by him in the Church.

In witness whereof our episcopal seal, as also that of the Dean and Chapter, is set to these presents. Given at the Bishop's Palace at Salisbury, the third day of October, in the year 1672.

[Dean Pierce pointed out the weakness and possible inconvenience of this Statute, under which the Dignitaries and other Canons who might be accounted residentiary, could if they so chose, by the comparatively inconsiderable forfeit of £15 a year for their three months' residence neglected, practically reduce and bring down the actual residence at Salisbury "to none at all." (Jones, *Fasti*, p. 248).]

Here follows in MS. H. a contemporary copy of Archbishop Tenison's *Letter*, addressed *to the Bishops of his province*, 16th July, 1695. This copy ("For the Right Reverend Father in God my very good Lord and Brother Gilbert [Burnet], Lord Bishop of Sarum Att Salisbury") does not differ materially from what is printed in E. Cardwell's *Documentary Annals*, ii. 334–8, ed. 1839, except that the MS. has a few marginal references to the Canons and Articles, etc., which are indicated.

DECRETUM SIVE STATUTUM FACTUM IN PRIMARIA VISITACIONE DOMINI GILBERTI (BURNET), SARUM EPISCOPI.

[Statute Book (H), 138b.]

A.D. 1697. 27th May.

DIE Jovis, vicesimo Septimo scilicet die mensis Maij Anno Domini 1697, Reverendus in Christo pater dominus Gilbertus, permissione divinâ Sarum Episcopus, in Ecclesiâ Cathedrali Sarum loco consistoriali Episcopali ibidem pro tribunali sedens, domino Decano, Canonicis et Præbendariis, quorum aliquo modo interesse potuit, consentientibus, cum potestate Visitatoriâ, decrevit et statuit in hunc qui sequitur modum, videlicet

Primo. Gilbertus permissione divinâ Sarum Episcopus, Omnibus et singulis quos præsentes tangere possunt, salutem, gratiam, et benedictionem;—Cum justum sit ut ea cura conserventur bona Ecclesiæ, ut nulli liceat dimissiones concedere in præjudicium ecclesiæ et successorum suorum, ne tamen in jura cujusvis aut in leges hujus regni Angliæ peccemus, Statutum Sethi,[1] prædecessoris nostri, beatæ memoriæ, hoc pacto moderandum et explanandum Statuimus, Quod nemini è quatuor § Personis, vel Archidiaconis vel Præbendariis hujus ecclesiæ licebit, Dignitatum suarum Corpora aut aliquam partem earundem, cuipiam hominum in firmam dimittere, aut dimissionis instrumento alicui manum aut sigillum apponere, priusquam forma Instrumenti in terminis conceptis, Episcopo pro tempore existenti et Decano et Capitulo, aut eorum saltem parti alterutri, monstretur, quorum consensum super ea re expectabunt per dies quatuordecem, antequàm manum et sigillum apponant, sub pœnâ Excommunicacionis.

§ "quartuor": *MS.*

* H. 139. **Secundo*;—Cum Literas beati Martiris Caroli primi, Gloriosissimæ Memoriæ, in Registro Decani et Capituli

[1] See above, pp. 436–8.

A DECREE OR STATUTE MADE AT THE PRIMARY VISITATION OF GILBERT, LORD BISHOP OF SARUM.

THURSDAY, the seven and twentieth day of May, in the year of our Lord 1697, the Reverend Father in Christ Gilbert, by Divine permission Lord Bishop of Salisbury, sitting in the Consistorial place of the Cathedral Church of Sarum in his episcopal throne, Mr. Dean, the Canons and Prebendaries who might be in any way concerned giving their consent, under his visitatorial authority, decreed and enacted in manner following:—to wit,

First. Gilbert, by Divine permission Bishop of Sarum, To all and singular whom these presents can affect, health, grace and benediction. Whereas it is right that the goods of the Church be kept with such care that it shall not be lawful for any one to grant leases to the prejudice of the Church and their successors, yet nevertheless, lest We should offend against the rights of any man or against the laws of this realm of England. We decree that the statute of Seth, our predecessor, of blessed memory, be in the following respect modified and explained; viz. that to none of the Four Persons or Archdeacons or Prebendaries of this Church shall it be lawful to let to farm to any man the *corpus* of their dignities or any part of the same; nor yet to put hand or seal to any deed of leasing before the form of the deed be shown in set terms to the Bishop for the time being, or to the Dean and Chapter, or at least to one of these two parties or the other; for whose consent on that matter they shall wait during fourteen days, before they put hand and seal; under pain of excommunication.

Secondly. Forasmuch as the Letter of the Blessed Martyr Charles the First of most glorious memory, which is inserted in the Register of the Dean and Chapter,

A.D. 1697. insertas, datas Aō Domini 1630, minùs observatas quam par erat non sine mærore deprehendimus in Dimissionibus Firmarum,—Statuimus quod deinceps summâ curâ et religione observentur, tam a Decano et Capitulo quam a quatuor Personis, Archidiaconis, et Præbendariis in omnibus Dimissionibus ad Firmam, sive ad Commune spectantium, sive ad corpora dignitatum et præbendariorum, sub pœnâ Excommunicationis.

Tertio;—Cum quilibet Dignitarius sit in numerum Residentiariorum receptus, ab residentiâ, ad quam ratione Dignitatis suæ tenetur, liberabitur, modo Residentiam sibi tanquam Residentiario impositam debitè expleverit.

§ (*sic*) MS. *Quarto*;—Subdecanus et Subcentor § non tenentur ad residentiam perpetuam in sensu stricto; optandum est equidem ut frequentèr adsint in precibus publicis, sed ipsorum et successorum suorum conscientias eatenus obligare non volumus.

Quinto;—Cum nihil sit Juramento sacrosanctius, et cum formulæ quædam in Juramentis occurrant quæ temeratas conscientas merito gravant,—Statuimus quod quoties in formulâ juramenti Dignitariorum, vel aliorum, hæc verba vel similia occurunt "*Ero continuè*[1] *residens*," loco illorum hæc ponantur "*Ero Residens secundum Statuta hujus Ecclesie*;" ita ut illorum quieti meliùs consulatur, et ut ab omni scrupulo liberentur.

Sexto;—Nos, Episcopus antedictus, palàm declaramus † H. 139ᵇ. Nos liberare omnes † Dignitarios vel Præbendarios, pro tempore nostro, ab omnibus feodis Nobis debitis, vi cujusdam Statuti, pro confirmacione Dimissionum ab illis concessarum vel concedendarum. Hoc autem Decretum et Statutum nostrum, ut ad notitiam eorum quos[2] tangit perveniat, et debitum sortiatur effectum, in Registris nostris describendum esse, veramque copiam ejusdem Decano et Capitulo Ecclesiæ nostræ Cathedralis Sarum transmittendum fore Mandamus.

Datum in ipsâ Visitatione nostrâ primariâ, vicesimo

[1] "continuo": (e *superscribed*).

[2] "quorum": (*for* "quos") *the error indicated by a cross.*

dated A.D. 1630, is found by us, not without grief, to have been less observed than was right, in regard to the leasing of farms; We decree that henceforth it be observed with the greatest care and scrupulousness, as well by the Dean and Chapter as by the Four Persons, Archdeacons, and Prebendaries, in all lettings to farm, whether of property belonging to the general body or to the *corpus* of the dignities and prebendaries under pain of excommunication.

Thirdly. When any Dignitary hath been received into the number of Residentiaries, he shall be released from the residence to which he is bound in respect of his place of dignity, supposing him to have duly fulfilled the residence imposed on him as a Residentiary.

Fourthly. The Subdean and Succentor are not bound to perpetual residence in a strict sense. It is to be hoped, indeed, that they will frequently be present at public prayers, but we are not willing to bind so far the consciences of themselves and of their successors.

Fifthly. Seeing that there is nothing more sacred than a religious oath, and that certain forms of words occur in the oaths which deservedly burden wounded consciences, We decree that whenever in the formula of the oath of Dignitaries or others these or like words occur, "*I will be continuously resident,*" instead of those words these be substituted, "*I will be resident, in accordance with the statutes of this Church.*" So that their peace of mind may be consulted, and they be released from all scruple.

Sixthly. We, the aforesaid Bishop, do openly declare that we release all Dignitaries or Prebendaries, during our time, from all fees due to us, by the force of any statute, for the confirmation of leases granted or to be granted by them. And that this our decree and statute may come to the knowledge of those whom it doth concern, and may obtain due effect, We order it to be enrolled in our Registers, and that a true copy of the same be transmitted to the Dean and Chapter of our Cathedral Church of Salisbury.

Given at our Primary Visitation, the twenty-seventh

A.D. 1697. septimo die mensis Maij Anno Domini 1697, Et nostræ Consecrationis Anno nono.[1]

[1] Here *MS.* H. ends, its five last remaining leaves being blank, besides one cut away. An old index or summary in Bishop Seth Ward's hand has been pasted on to the last leaf but one.

The MS. known as "MS. *Constitutions*," consists of a transcript of our MS. *E.*, but contains, moreover, in an early xviith-century handwriting some forms of Oaths and Admissions which have been for the most part printed already either on pp. 127–133 and 323 in this present volume, or else in *Salisbury Ceremonies and Processions* (1901), pp. 104–116, 123–125. See also *Sarum Charters* (R. S., 1891), p. 210. See MS. *Constitutions*, "The Oathe of Allegeance" to Kinge James (*altered later to* "Charles"), pp. 99[b], 100[a], followed by

"A Layman's Oath.

"I *A. B.* a Layman of the Quire of the Cathedrall Church of Sarum, by these Holy Gospells by me corporally touched, do swear Obedience to the Deane the Locum Tenens or President of the Chapter for the time being, and fidelity to the Church of Sarum. And also that I will attend the honor and peace of the Church, Chapter and Canons, and to my vtmost power will preserve them. So help me God, and[1] these Holy Gospells."

"*The forme of a Layman's Oath*" is written out again on the next page, f. 100[b], after Oaths of Allegiance and Abjuration (*temp.* William and Mary), the only variant from the foregoing being in the last clause "So help me God, and *by* these Holy Gospells."

The declaration now in use (1914) is as follows:—

"I the undersigned *A. B.* being about to be admitted to the Office of a Layman of the Cathedral Church of Sarum to be held by me subject (except in the case of gross misconduct) to three calendar months notice from the Dean and Chapter of the same Church or until I shall desire to resign the same upon giving to the said Dean and Chapter three calendar months previous notice thereof in writing Do hereby promise and agree with the said Dean and Chapter to observe the regulations[1] laid down by them for the conduct of the Laymen of the Cathedral to enter into an Agreement for the provision of a pension upon my ceasing to hold the Office of a Layman in accordance with the terms of the Draft thereof, which has been shown to me, and that in the event of it being at any time my desire to resign the said Office I will continue to perform the duties thereof during and until the expiration of three calendar months from the day on which I shall deliver to them or their Chapter Clerk a notice in writing of such my desire.

"Dated this ——— day of ——— 191–."

[1] A set of "*Regulations* for *Laymen*" are entered in the Chapter Minutes of 7th March, 1893. They are subscribed by each Lay Vicar on his admission, and they consist of a threefold promise based upon the principles admirably set forth in a letter addressed in 1853 to Mr. Richard Jones, the Secretary to the Cathedral Commission (as printed

day of May, in the year of our Lord 1697 and of our Consecration the ninth.

in *App.* to the *Final Report*, 1855, pp. 708, 709), by Bishop W. K. Hamilton, while he was Precentor and Canon Residentiary.

The statement made at a later period to the Commissioners by Dean H. P. Hamilton, 3rd December, 1879, is as follows :—

"The lay vicars are (including the organist) seven in number. Their duties are to attend the daily choral services at the Cathedral (being allowed half a day's absence in each week) and two hours weekly for rehearsal. They are appointed by the Dean and Chapter during pleasure, and are under their control. Each receives £20 per annum [by an arrangement made *temp.* Jac. I.] from the vicars choral as being their substitutes, and are paid [certain] yearly salaries by the Dean and Chapter : One also receives the yearly rent of a house belonging to the Dean and Chapter and formerly the residence of a lay vicar. No houses or lodgings are provided for the remaining five, but their salaries include £10 per annum in lieu of a house. There are also three supernumeraries who attend the choral services on Sundays and one weekly rehearsal, and are paid [an honorarium]. [A pension was in 1879] paid to a superannuated lay vicar, on condition of his 'turning' the Cathedral music, attending the Cathedral service once every week-day and twice on Sundays. He is also clerk of the Cathedral and 'church pricker.' The duty of this office was to correct the musick books (of prick-song) and to copy musick. Edward Tooke was chosen pricker 8th October, 1632, as was Mr. Tucker in the following year, and Mr. [? William] London in 1638.

3rd February, 1803. Mr. Goss had leave of absence to attend concerts in London. In October, 1755, and December, 1815, rules were made as to the attendance of Vicars, their Fines, etc. In 1757 the Subcommunar was charged to keep the "perdition book" of attendances and the fines "*absentium et tarde venientium*," which in 1636 were "every Fryday exhibited at ye round Table." In 1759 Robert Barrett was made altarist in place of Stephens the organist. We add the names of some holders of this office.

Organists of Salisbury Cathedral Church.

1454. Thomas *organista* occurs.
Cir. 1531–1543. Thomas Knyght, *lusor ad organa, organista.* The *flator ad organa* was W. Crede, succeeded by J. Elys in 1542.
1598. John Farrant (? son of Richard Farrant), from Ely.
1602. John Holmes, from Winchester.
1610. Ellis Gibbons, born at Cambridge, brother to Orlando and Edward Gibbons.
1625. Richard Chappington, *custos organorum.* (Mr. Meidge, or Madge, was paid 40*s.* per term for "2 single sackbuttes and 2 cornetts on all Sondaies and hollidaies." In 1635 the organ was repaired and was set up on June 16th.)
(1626. Edward Tucker, *Musurgus*, or musick-pricker.)
1631. Giles Tomkins, from King's College, Cambridge.
1668. April 29th. Michael Wise. Born at Salisbury, 1638. Chorister (and gentleman) of the Chapel Royal.
1688. Peter Isaac(kes), Vicar Choral of St. Patrick's, Dublin, whither he returned to be Organist, 1692–1694.
1692. April 19th. Daniel Rosingrave. Chorister of the Chapel Royal. Pupil of Henry Purcell and of Dr. Blow. Organist of Gloucester, 1679, and of Winchester, 1684. Died in Dublin, 1727.

(*For a list of* the Organists *from cir.* 1698 *to the present day*, see p. 522, below.)

STATUTE FOR THE PAYMENT OF A PERCENTAGE ON ALL FINES AND RENEWALS FOR THE SUPPORT OF THE FABRICK.

(FROM BISHOP T. BURGESS' *Statuta*, p. 72[b].)

[11th June, 1813. Confirmed 5th December, 1814.]

A.D. 1813. 11 June. AT the Pentecostal Meeting and General Chapter held in the Chapter House of the Cathedral Church of Sarum on Friday in the Week of Pentecost (to wit) Friday, the 11th day of June, in the year of our Lord 1813, between the Hours of 9 and 12 of the Clock in the Forenoon of the same day, before the Reverend and Worshipful Charles Talbot, B.D., Dean of the said Cathedral Church, William Douglas, M.A., Precentor of the same Church, Thomas Henry Hume, M.A., Treasurer . . ., William Coxe, M.A., Archd. of Wilts, Charles Ekins, M.A., and John Savile Ogle, M.A., Canons Residentiary of the said Church, in the said Chapter House assembled and making a Chapter, in the presence of William Boucher, Notary Publick, the Chapter Clerk or Registrar:

The said Chapter, taking into its most serious consideration the present state of the Cathedral Church and the Cloisters adjoining it and the Report made on a * f. 73. * Survey by the Clerk of the Works of the extraordinary expenses . . . which must annually accrue in an increasing Ratio for the support of a Fabrick of such age and extent; And also that the Income arising from the Estates antiently appropriated by Statute for the support of the Fabrick is so inadequate . . .; and considering the mode heretofore adopted on similar occasion of charging a Per Centage on the reserved Rents to the amount of £20 per cent., to be both burthensome and ineffectual;

Have unanimously resolved That a Per Centage on all Fines to be hereafter received or payable for the Renewal of any Lease or Copy of Court Roll by the Dignitaries and Prebendaries of this Church, limited as hereafter expressed, shall be paid by them towards raising a sufficient Sum for the purpose aforesaid. And in order

to carry such Resolution into full Effect it is also unanimously Resolved and decreed, A.D. 1813.

That a STATUTE be made with the Concurrence of the Lord Bishop of Salisbury for inforcing the Payment of such Per Centage on the Fines and Renewals in manner following.

And that every Dignitary and Prebendary of this Church who shall hereafter be collated or installed or admitted to any Dignity, Prebend, or Stall in the said Cathedral Church shall, at the time of his taking his † corporal Oath by virtue of the Statutes now in Force † f. 73b. well and truly to observe and obey the same, be informed of the present Statute and the nature and effect thereof.

That every Dignitary and Prebendary of this Church who shall hereafter renew any Term or Interest for which any Messuages, Hereditaments, Lands, or Tenements are held under him either by Lease or Copy of Court Roll for Life or Lives or Term of Years, shall pay to the Masters of the Fabrick or to the Communar of the Dean and Chapter for the time being such part or share of the Fine received for such Renewal as shall be equal to £2 and 10*s.* for every £100 thereof and so in Proportion for any greater or less Sum.

[Provisos follow respecting leases for lives and leases for 7, 14, 21 or 40 years. Proposed new leases are to be exhibited for confirmation by the Dean and Chapter, with specification of the clear annual value or fineable Rent of the Messuages, &c. Notice likewise to be given in cases of renewal by Copy of Court Roll not requiring confirmation, within 3 months of renewal. Per Centages to be payable also where leases, &c., are granted, without payment of consideration fines, for the benefit of a Dignitary or Prebendary himself or of his family.]

Per Centages are to be paid to the Masters of the Fabrick or to the Communar within 3 months from date of notice given to the Dignitary, Prebendary, or his Vicar in the Cathedral, under Pain of such Ecclesiastical Censures as may by Law be inflicted for any Contempt or Disobedience to the Statutes of the Church (f. 73–75).

A.D. 1813. And it is hereby further decreed that in Case it shall happen that any Dignitary or Prebendary shall refuse or neglect (which we trust will not happen) to pay or cause to be paid the Amount of the Per Centage on any Fine or Renewal calculated in manner aforesaid for Three Months after the Time hereby appointed for Payment thereof, That then and in such Case the Amount of such Per Centage shall be chargeable on the reserved Rent payable to such Dignitary or Prebendary in Respect of any Messuages, Lands, Tenements, or Hereditaments which † f. 75b. † belong to or are held under him in Right of his Dignity or Prebend in the said Church:—

And that the said Dean and Chapter shall and may proceed to the Recovery of such reserved Rents by way of Sequestration . . . giving due notice . . . to the Lessee or Tenant in Possession . . . besides proceeding against any such Defaulter . . . by Ecclesiastical Censures.

5 Dec. 1814. The before-going Statute was confirmed by the Right Reverend John [Fisher], Lord Bishop of Salisbury, under his Episcopal Seal, and was also confirmed by His Majesty King George III. by virtue of a Royal Grant under the Great Seal of England, bearing Date at Westminster the 5th day of December in the 55th year of his said Majesty's Reign.

The Cathedral Commission, 1835. [In 1835 King William IV. issued a commission with a view to suggest measures to render the Cathedral Churches in England and Wales "conducive to the efficiency of the Established Church." The King died 20th June, 1837, but the Fourth Report of his Commissioners of Inquiry into the state of the Established Church was presented to Queen Victoria. Its constitution and its Report were severely criticised by Sydney Smith (Preb. of Bristol, 1828–31; then Canon Resid. of St. Paul's, 1831–45) in his *Three Letters to T. Singleton, Archdeacon of Northumberland*. One ground of complaint was that ecclesiastical persons who were below the rank of a Bishop, and whose revenues were to be reduced, were virtually without representation on the commission.

The chief measures which arose in consequence of

King William's commission (from 3 & 4 Vict., August, 1840; c. 113, directing that Canons of Salisbury, &c., should be appointed by the Bishop (sec. 25); Deans by the Crown (sec. 24)), are enumerated in Phillimore's *Ecclesiastical Law*, ch. iv. *Deans and Chapters and Cathedrals*, sect. 3 (pp. 172–243, ed. 2, 1895), ch. v. sec. 2, *Archdeacons* (*ibid.*, pp. 203–207). The Act of 1840 limited the number of Residentiary Canons, assigned to the Dean a definite income, and directed that the separate estates of the Dignitaries and Prebendaries and the incomes of the suspended Canonries should, as each fell vacant, be transferred to the fund of the Ecclesiastical Commission. By 4 & 5 Vict. c. 39, the majority of existing members are to constitute a Chapter (*ibid.*, p. 173). Cf. p. 369.

A.D. 1835.

The Act of 1840.

The First and Second General Reports of the Ecclesiastical Commissioners (made permanent by the Established Church Act of 1836) are dated 17th March, 1835, and 4th March, 1836; a third followed in May, and a fourth (on 24th June) in the same year. This Fourth Report dealt more particularly with Cathedral Chapters.[1]

Ecclesiastical Commission.

Orders in Council ratifying schemes of Ecclesiastical Commissioners for England, were issued in ten volumes, 1843–1857, with a general index to the Orders in Council, 1855, etc. In these, or in subsequent volumes, may be traced the later history of the antient estates of certain of the old prebends in Dorset, Wilts, Hants, Berks, and Lincolnshire (Grantham Prebends), as well as those of the Dignitaries, and of the Archdeacons, Subdean, Succentor, and Vicars. Three of the earlier (or endowed) prebendaries survived until 1881, in which year Charles Buchanan Pearson, Prebendary of Fordington with Worthlington, died on 7th January; Gorges Paulin Lowther, of

Orders in Council.

The last survivors of the Endowed Prebendaries.

[1] The Fourth Report of King William IV.'s original Commission "recommended the reorganization of Cathedral Chapters, the application of a part of their revenues to other ecclesiastical purposes, and the suppression of a number of canonries. The Cathedrals Act, 1840 (3 & 4 Vict. c. 113), was based on this Report. A fifth Report was drafted, but not presented." Rev. G. Crosse, in Ollard and Crosse's *Dict. of English Church History*, Mowbrays, 1912, p. 124. Bishop Denison, by an amendment in the House of Lords, in 1837, secured the retention of the stalls and titles of the Prebendaries when their endowments were taken away. F. Lear, *Reminiscences* (1910), p. 11.

A.D. 1851. Yetminster Secunda, on 25th April; and Robert Farquharson, of Teynton Regis, on 13th May, 1881.]

Statute as to Canonical Residence

(2nd January, 1851).

Addition to Bishop T. Burgess' Statute-Book, f. 88 (= 77).[1]

2 Jan., 1851. On Thursday, the 2nd day of January, in the year of our Lord 1851, between the hours of 12 and 3 of the clock of the same day, at the Deanery, then and there present The Rev. and Worshipful Henry Parr Hamilton Clerk, M.A., Dean of the Cathedral Church of Sarum, and the Rev. W. Macdonald, the Hon. and Rev. Frederick Pleydell Bouverie, The Rev. W. Fisher, and the Rev. Walter Kerr Hamilton, Canons-residentiary of the said Cathedral Church in Chapter assembled.

Present also me, J. L. Alford, Chapter Clerk.

Whereas by the Statutes, Ordinances and Customs of the Cathedral of Sarum aforesaid the Canons-residentiary holding the Canonries now, or lately, held by the Rev. W. Macdonald and the Rev. W. Lisle Bowles deceased,[2] have been assigned and held a Term of Residence from the 1st day of January to the 31st day of March inclusive, the Canons-residentiary holding the Canonries now, or lately, held by the Rev. W. Fisher and the Rev. Matthew Marsh deceased, have been assigned and held a Term of Residence from the 1st day of April to the 30th day of June inclusive, and the Predecessors of the present Dean of the said Cathedral Church held a Term of Residence from 1st July to 30th September inclusive, and the Canons-residentiary holding the Canonries now held by the Honour-
† f. 88b. able and Reverend † F. P. Bouverie and the Rev. Walter Kerr Hamilton have been assigned and held a Term of Residence from the 1st day of October to the 31st day of December inclusive respectively, in each and every year.

[1] Leaf 76 of Bishop Burgess' MS. copy (transcribed from MS. E.) is blank, and ff. 77–84a are occupied with an alphabetical *Index Rerum*. Leaves 85–87 also remain blank.

[2] W. Macdonald, Preb. of Bitton, 1807; Archd. of Wilts, 1828; Canon Resid., 1823; died 24th June, 1862. W. L. Bowles, Preb., 1804; Canon Resid., 1828; died 1850.

A.D. 1851.

And whereas under and by virtue of an Act of Parliament made and passed in the 3rd and 4th years of the Reign of Her present Majesty, intituled "An Act to carry into effect with certain modifications the Fourth Report of the Commissioners of Ecclesiastical Duties and Revenues," two Canonries in the said Cathedral Church have become suspended by the Death of the said Matthew Marsh and W. Lisle Bowles, by reason whereof two of the Terms of Residence hereinbefore described are supplied by one Canon-residentiary only.

And whereas the Term lastly hereinbefore described in accordance with the aforesaid Statutes and Ordinances of the aforesaid Church is served with two Canons-residentiary, and during the term hereinbefore mentioned to have been held by the Predecessors of the present Dean of the said Church, there is no Residentiary Canon.

Now this Chapter, taking into consideration the change effected by the suspension of the Canonries aforesaid, and to the end that there may at all times of the year be one Canon of the said Cathedral Church in Residence, have unanimously resolved and decreed by and with the concurrence of the Lord Bishop of Salisbury, that from henceforth the Term of Residence of the Rev. Walter Kerr Hamilton and his Successors in the Canonry now held by him shall commence on the 1st day of July and continue to the 30th day of September inclusive in each and every year, and that the said W. K. Hamilton and his Successors in the said Canonry shall be henceforth acquitted and absolved of and from any Residence in the months of October, November, and December in any and every year, any Statute, Ordinance, or Custom of the said Cathedral Church to the contrary in any wise notwithstanding.

And at this Chapter it is further unanimously resolved and decreed that upon the Vacancy of any or either of the * aforesaid Canonries by the Death or otherwise of any or either of the present Canons-residentiary, it shall and may be lawful to and for the surviving and continuing Canons-residentiary according to their Seniority as Canons, to elect, take and hold with the concurrence

* f. 89.

A.D. 1851. of the Dean and Chapter of the said Church, the Term or Terms of Residence so vacated instead and in lieu of the Term or Terms thereof held by him or them.

The Act of 14 & 15 Vict. c. 104, in 1851, concerns Episcopal and Capitular Estates.

The Commission of 1852–5. The *Cathedral and Collegiate Churches Commission*, appointed 10 Nov. 1852, and 6 Aug. 1853, had its duration extended 5 Jan. 1855.

The Commissioners made three Reports :—

First Report, 6 April, 1854.

Second Report (Bishopric of Cornwall) 16 March, 1855.

Third (and Final) *Report*, 10 May, 1855.

The Answers returned to the Commissioners' questions, and the correspondence with Bishops, Deans and Chapters, Vicars, Precentors, Organists, Lay Vicars, Clerks, Masters of Cathedral Schools, etc., were printed.

Report 1854. A full account of Salisbury Cathedral Statutes, communicated by the Rev. Walter Kerr Hamilton, then Precentor of Salisbury, occupies pp. 363–424 and 540–541, of the Answers to the First Series of Questions by the Commissioners in Report I. (1854),[1] and bears the countersignature of Dr. H. Parr Hamilton, F.R.S., who held the Deanery from 1850 to 1880. Dr. Walter Hamilton was well qualified to prepare such an account of a Cathedral Constitution and Statutes, having been not only a prebendary of another Cathedral Church of the "Old Foundation," at Wells, in 1834, but also having been already connected with Salisbury itself, first as an Examining Chaplain, appointed in 1837, at the opening of Bishop Denison's episcopate, and subsequently, holding a Residentiary Canonry here, with the Treasurership from January, 1841, and from January, 1843, the Precentorship with the prebend of Torleton. The Commissioners' First Report is dated 6th April, 1854. Bishop Denison had died on the 6th of March, and W. K. Hamilton was

[1] The Questions, Report I. Appendix, pp. (111)–(114), are dated, 1, Parliament Street, Whitehall, 31 Jan., 1853.

Although no legislation followed directly as a result of the Cathedrals Commission of 1852, the statement furnished to the Commissioners from Salisbury has a distinct value.

consecrated as successor to his friend on 14th May of that year.[1] A.D. 1851.

[1] The Statute of 2nd Jan. 1851 (see pp. 460–462) is the latest entry added in Bishop Burgess' transcript (on vellum) of the *Statuta*, which passed into the hands of Bishop Hamilton and his successors in the see; but the following letter from the last-named Bishop, addressed to his secretary, Fitzherbert Macdonald, Esq., The Close, was pinned, and is now pasted, into the volume:—

"9, Seymour Street,
Portman Square,
July 8th, [18]69.

"My dear Secretary,—I have as Visitor great scruples in acceding to the proposed change about the Minor Canons' seats in the Cathedral. It seems to me that I should thereby run the risk of disturbing the right and ancient constitution of the Cathedral body. But before I communicate to the Dean and Chapter through you my formal answer, I should like to tell you what my difficulties are, and see how you can remove them.

"I suppose you are aware that the seats on the north and south, where Lady Poore and Mrs. Verrinder usually sit, are those set apart for them (the Minor Canons), that from thence they might discharge the duties belonging to them, as representatives of the absent Prebendaries. This may seem a little matter; but it involves more, it appears to me, than of what the Dean and Chapter are aware.

"Though this is not a definite answer to the matter respecting the seats of the Minor Canons, I should like you to read this letter of mine to the Dean and Chapter.

"I remain, yours very truly,
"W. K. Sarum.

"I return you the Dean's letter.

"8 July, 1869."

The foregoing letter was written with reference to a petition which had been presented to the Dean and Chapter by the Rev. H. W. Pullen on behalf of himself and his senior colleagues in March, 1869, for permission to officiate in some of the prebendal stalls *in superiori gradu*, instead of the places which they occupied in a line with the Lay Vicars Choral. He mentioned that the Priest Vicars at St. Paul's, London, Exeter, and Chichester sat in the upper row, while those at Hereford had a permission to occupy such a place, although they did not avail themselves of it. The Dean and Chapter, in refusing to accede to the request, pointed out that the Priest Vicars at Wells, Lincoln, York, and Lichfield did not sit in prebendal stalls, and that at Lincoln they "sit as with us in the same line as the Lay Vicars." The ladies mentioned in the Bishop's letter occupied seats immediately under the two stalls (marked 55, 56, on pp. 116, 117, *supra*), which were in those days assigned to the two Chancellors, although No. 56 was the proper place for the Treasurer. It may be recollected that a considerable portion of the congregation used formerly to sit eastward of the *chorus cantorum*, near the choir pulpit and the Bishop's throne. The

A.D. 1879.

Cathedral Commission, 1879.

In 1879 (4th July), Queen Victoria issued her Commission for Inquiring into the Condition of Cathedral Churches in England and Wales. The Commissioners issued their

First Report, 8 Feb., 1882.

Second Report, 20 Aug., 1883.

Final Report, 23 March, 1885. (See pp. 6, 12, respecting Salisbury.)

On 1 Sept., 1879, a paper of Questions was circulated by the Commissioners, and Replies were sent 3 Dec. 1879. (Index, p. (18).) Supplemental Questions were issued 2 Aug., and 14 Sept., 1880 : p. (19). Memorials and Correspondence 1879–81 are also printed, p. (20), followed on p. (27) by an Index thereto.

An Application from Salisbury to the Ecclesiastical Commissioners to help superannuated or disabled officers of the Cathedral, was signed by Dean Boyle and Archdeacon Lear (see Appendix to Final Report, p. 26), and a recommendation made thereon by the Ecclesiastical Commissioners, p. (31). A Return of Expenditure, etc., on Restoration of the Fabric, 1863–83, occurs on pp. (41)–(43) ; cf. p. (46).

In pursuance of the business of the Royal Commission of 1879, the *Cathedral Statutes Act* (1884) was passed. (See Appendix to Final Report, p. 17.)

The Cathedral Commissioners issued in 1883–85 separate reports on the several Cathedrals. The separate report which concerns Salisbury was made 28th

petition, however, was presented while the nave was still in use for the services as it had been during the long period of Cathedral alterations and repairs, and the order for sealing the contract for restoration of the Lady Chapel was decreed under date of 14th May, 1869, in the interval between the refusal by the Dean and Chapter and the Bishop's letter of 8th July, to the same effect. He died on 1st August, and it was determined to restore the choir in his memory. James Wyatt's stall canopies, which had been standing for about ninety years, were removed, but the seats and elbows of the ancient stalls remained and were not increased in number, so that when the choir was re-opened by Bishop Moberly, 1st November, 1876, when the procession included nearly 400 of the clergy, the question of seats was decided on principle of necessity rather than of choice, and subsequently the Priest Vicars have usually sat in stalls 23–26 (see pp. 116, 117) by favour of those Deacon or Sub-deacon Prebendaries to whom they are assigned.

October, 1884, in the usual folio paper book form, marked "C.—4237." This contains, in addition to the Report, a print of the important [Draft] *Statutes* for Salisbury in xxii. chapters, pp. 7–11, with a table thereof on p. 12, and an Index thereto on p. 13. Although these Draft Statutes of 1884 were never sealed or ratified, so far as the present editors are aware, they would, no doubt, have a special interest on any future occasion when the Statutes may come under consideration. It may be presumed that a copy was furnished to Bishop John Wordsworth, for his information when he was proceeding to visit the Cathedral in the third year of his episcopate, and was desirous to have some such mature expression of the views of the Dean and Chapter at that date.

Draft Statutes, 1884.

At Bishop John Wordsworth's Visitation, 1888.

An Order in Council, 27th August, 1846, dated at Osborne House, Isle of Wight, under an Act of 6 & 7 Geo. IV., for carrying into effect the Reports of Commissioners appointed to consider the state of the Established Church, etc. (pp. 3, 4), abolishes all peculiar and other ecclesiastical jurisdiction or exemption from jurisdiction in the dioceses of Oxford and Salisbury, and subjects all parish churches and chapels to the jurisdiction of the Bishops and Archdeacons of the Archdeaconries, "except that the cathedral churches of and within the said several dioceses and the royal residence and your Majesty's free Chapel of St. George within your Majesty's Castle of Windsor, shall respectively remain and be subject to the jurisdiction and visitation, if any, to which they are now by law respectively subject, and to none other."

In virtue of the foregoing reservation to the Bishops of Salisbury of their existing right and responsibility to visit Salisbury Cathedral, which remains exempt from Archidiaconal visitation, Bishop John Wordsworth, having perused the said Order in Council at the Registry on 11th February, 1888, issued his mandate, which is given on the following pages (466–9).

He prepared on 7th March (and issued on the 13th) nineteen *Articles of Inquiry* (see pp. 470–4).

A.D. 1888. MANDATE for VISITATION of SALISBURY CATHEDRAL, to commence 13th April, 1888; dated 14th Feb., 1888.[1]

IOHANNES dei gratia sarisburiensis episcopus dilectis in christo fratri georgio dauid boyle ecclesie beate marie uirginis sarisburiensis decano et praecentori capituloque eiusdem ecclesie salutem gratiam et benedictionem.

Cum arcta nos uobiscum caritas et pietatis uincula constringunt ut omnia, quantum in nobis sit, in honorem dei omnipotentis et in profectum sanctae matris ecclesiae et fidei catholicae incrementum perficiamus, tam praecipue ecclesiae nostrae cathedralis cura nos mouet ut de statu, disciplina et prouentibus eius accuratius inquiramus, non pro correctione delictorum, quae rara aut nulla esse credamus, sed potius ut si quid deficiat, deo adiuuante, communi consensu suppeditetur, si quid noua fieri debeant nouis temporibus uno animo occurramus. Quapropter nos potestate nostra uisitatoria utentes, cum in animo habeamus praedictam eccl'iam nostram et personas et ministros ejus die veneris videlicet die decimo tertio mensis Aprilis proxime futuri intra horas nonam et undecimam antemeridianas, secundum modum et formam compositionis et concordiae in hac parte per antecessorem nostrum bonae memoriae Johannem Waltham episcopum Sarisburiensem cum decano et capitulo effectae personaliter visitare, uobis in virtute obedientiae firmiter iniungendo mandamus ut dictae ecclesiae nostrae Cancellarium et thesaurarium, archidiaconos ceterosque ejusdem ecclesiae canonicos prebendarios, et omnes in ea perpetua officia obtinentes, Vicarios chori, capellanos et laicos, et pueros, et ministros quoscunque stipendiarios citetis aut citari faciatis. Quos omnes et singulos et etiam uos

[1] From the autograph MS. written by Bishop John Wordsworth on a page in his own copy of the Cathedral Statutes as edited by Dayman and Jones. The late Bishop's sparing use of capital letters, though quaint, is neither inartistic nor ineffective. Those few which he uses

MANDATE FOR VISITATION OF THE CATHEDRAL: 1888.

JOHN, by the grace of God Bishop of Salisbury, to his beloved brother in Christ, George David Boyle, Dean and Precentor of the Church of B. Mary the Virgin of Salisbury, and to his beloved in Christ the Chapter of the same Church, health, grace and blessing.

Seeing that the intimate bonds of love and devotion between Us and you constrain Us that We should perfect all things, so far as in Us lies, to the honour of Almighty God and the advancement of our holy mother the Church and the progress of the Catholick Faith; the care principally of our Cathedral Church moves Us to make enquiry concerning the state, discipline and income thereof more perfectly, not with an eye to correcting any faults, for We may be persuaded that there are few such things, or none, but rather hoping that if there be anything found wanting, it may by God's help be supplied by mutual consent, and if any improvements be requisite for the days in which we live, we may meet these requirements of the present day with one accord. Wherefore, availing ourselves of our power as Visitor, and having in mind to visit in person our Church aforesaid, and the personages and ministers thereof, on Friday (to wit), the 13th day of the month of April next, betwixt the hours of 9 and 11 a.m., according to the manner and form of the Composition and Agreement made in this behalf with the Dean and Chapter by our predecessor John Waltham, Bishop of Salisbury, of good memory, We do enjoin upon you, by virtue of your obedience, and do command you to cite or cause to be cited the Chancellor and Treasurer of our said Church, the Archdeacons and other Canons and Prebendaries of the Church, and all persons who have obtained perpetual offices therein, the Vicars of the choir, the Chaplains and Laymen, and the Boys, and all stipendiary Ministers whatsoever. All and singular of whom together with yourself We do cite by the tenour of these

help the eye of the reader to find certain important dates and other particulars which an intelligent rubricator would have indicated by a touch of colour.

A.D. 1888. tenore praesentium citamus quoad compareatis ac ipsi et eorum quilibet compareant et compareat coram nobis in domo capitulari ecclesiae nostrae supradictae post preces matutinas dicto die decimo tertio mensis Aprilis cum continuatione et prorogatione dierum prout expedire nobis videbitur usque ad finem visitationis nostrae praedictae. Porro uobis et ceteris omnibus praedictis injungimus ut articulis nostris visitatoriis, quos tempore congruo exhibebimus, fideliter respondeatis, et responsiones vestras atramento et calamo commode scriptas, uobiscum dicto die in domum capitularem reportetis, et nobis exhibeatis. Quod si quis contumaciae causa abfuerit vel in tali modo non responderit contra vos et eos et eorum quemlibet procedemus qualiter in hac parte justum fuerit. Vobis insuper tenore praesentium inhibemus et per uos omnibus et singulis supradictis inhiberi uolumus et mandamus ne in praeiudicium visitationis nostrae per uos aut alium vel alios publice vel occulte aliquid attemptetis seu praesumat aliquis eorum qualitercunque attemptare. Schedulam denique omnium praedicto modo citatorum, per nomina et cognomina secundum officiorum seriem divisam, uobis injungimus ut die dicto in domum capitularem nobis afferatis ita ut de absentia vel contumacia personarum et ministrorum nostrae ecclesiae legitime judicare possimus. Haec omnia, frater, tali modo scripsimus ut jura nostra et successorum nostrorum ab antecessoribus nostris in hac ecclesia nobis tradita custodiamus et conseruemus, non quod vel minime de vestra fide et caritate dubitemus, scientes et uos et omnes de corpore nostrae ecclesiae nihil in hac re nisi gloriam dei et profectum ecclesiae spectare; in quarum rerum testimonium sigillum nostrum episcopale his praesentibus litteris apponi fecimus. Datum in palatio nostro intra clausum ecclesiae nostrae Sarisburiensis die xiv mensis Februarii anno $\overline{\text{dni}}$ $\overline{\text{nri}}$ ih'u $\overline{\text{xpi}}$ millesimo octingentesimo octagesimo octauo et consecrationis nostrae tertio.

presents, that ye and all and sundry of them may appear before us in the Chapter House of our Church aforesaid after Morning Prayers on the said 13th of April, with continuation and prorogation from day to day as it shall seem to Us expedient, until the end of our Visitation. Furthermore, We enjoin you and all other persons aforesaid that you make answer faithfully to our Visitation enquiries which we shall exhibit in due season, and that you bring with you your answers, suitably written with pen and ink, to the Chapter House on the day appointed, and exhibit them to us. And if any one contumaciously absents himself or fails to answer in the manner described, We shall proceed against you and them and every one of them as shall be right in this behalf. We do further by the tenour of these presents inhibit you, and it is our will and command that all the other persons who have been named be by you inhibited, that you attempt not, and that none of the said persons presume to attempt, anything openly or secretly to the prejudice of our Visitation in any manner whatsoever. Finally, We do enjoin upon you that you bring with you on the day aforesaid into the Chapter House a Schedule containing the names and surnames of all the persons who shall have been cited after the manner aforesaid, arranged according to the order of their offices, in order that We may be able to judge lawfully concerning the absence or the contumacy of the persons and ministers of our Church. All these things, Brother, We have written in such a manner as to keep and preserve our own rights and the rights of our successors as these have been handed down to Us by our predecessors in this Church, not doubting in the smallest degree about your faith and charity, knowing as we do that you and all the members of our Cathedral body have no other object in view beside the glory of God and the welfare of the Church. In testimony whereof We have caused our episcopal seal to be affixed to these present letters. Given at our palace in the Close of our Cathedral Church of Salisbury, the 14th day of February, in the year of our Lord Jesus Christ the 1888th and of our consecration the third.

Visitation of the Cathedral, 1888.

A.D. 1888.

Letter from the Bishop of Salisbury addressed to Messrs. D. J. K. Macdonald and A. R. Malden, the Deputy Registrars, 13th March, 1888.

Gentlemen,—I beg to forward you seventy numbered copies of the questions which I have prepared for the Visitation, viz. for the Dean, Chancellor, Treasurer, three Archdeacons, Subdean, Succentor, forty-two Prebendaries, three Vicars Choral, Chapter Clerk and Deputy Chapter Clerk, Organist, one Clerk of the Works, seven Lay Vicars, three Vergers, and three for the different Registries.

The Chancellor will, I hope, attend the Visitation and sit on my left hand in the Precentor's stall. The titles of the other stalls in the Chapter House should, I venture to think, be made clear and be arranged according to the list in the Osmund Register, fol. 6, *De ordinatione clericorum in capitulo* [see p. 121, *supra*].[1] I need not say that these questions should not in any way be made public till the day of Visitation. I may remind you that, according to Bp. Waltham's composition [p. 290, *supra*], "*citatio in stallis arctabit*[2] *citatos.*"

Faithfully yours,

The Deputy Registrars. John Sarum.

Diocese of Salisbury.

Primary Visitation of the Cathedral, 1888.

Articles of Inquiry[3] exhibited to the Dean, Precentor, Chancellor, Treasurer, Archdeacons, Canons or Prebendaries, Subdean, Succentor and Vicars Choral, and other Ministers and Members of the Cathedral Church of the Blessed Virgin Mary of Salisbury, at the Primary Visitation of the Right Reverend Father in God, John, by the grace of God, Bishop of Salisbury,

[1] [See also Frere's *Use of Sarum*, i. p. 51.]

[2] [The MSS. *Lib. Evid. B.*, f. 131, *E.*, f. 58b, *H.*, f. 66b, and *Constit.*, f. 65b, read "effectualiter artet" ("arctet": *Const.*, 2da manu, and Bishop Burgess' MS. f. 49b). Dayman and Jones printed "affectualiter arctabit." Bishop Wordsworth was citing from their text.]

[3] These Articles of Inquiry, issued in March, 1888, by Bishop John Wordsworth, for Salisbury Cathedral, are largely based upon a set of twenty articles exhibited at a Visitation of Lincoln Cathedral by his father, the Bishop, Christopher Wordsworth, in 1873, and printed as Appendix *O.*, pp. 252–5, in "*Twelve Addresses* by the Bishop of Lincoln, 1873," articles which were even more closely followed by Bishop Gott for his Visitation of Truro Cathedral in 1896. The Proceedings at Salisbury Cathedral began on the 13th April. The second mandate is dated 30th October, 1888 (the covering letter in Latin bearing date of the day preceding), and the Proceedings were concluded by final judgement, 30th May, 1890.

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in the third year of his Consecration, and in the year of our Lord One Thousand Eight Hundred and Eighty-eight, the answers whereto are to be exhibited to him in writing (after Morning Prayer) in the Chapter House, on Friday, the 13th day of April next.

7th March, 1888.] *Questions.*

1. Do the members of the Capitular foundation correspond at the present time to those named in the Statutes, and, if not, what alterations have been made in this respect, and for what purpose?

2. (*a*) Are the Services of the Church duly performed in the Cathedral as prescribed in "the Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church"?

(*b*) How often is the Holy Communion administered? Is a Register kept of the numbers who Communicate?

What was the number of those who Communicated on Easter Day, 1887, and on Easter Day, 1888?

Is there any roll or List of Communicants belonging to the Liberty of the Close?

Who has the right and duty of preparing persons for Confirmation in the Close, and of ministering to the sick and dying?

How is the part of the Parish outside the Close served?

What is the population of the whole and of its different parts?

(*c*) Are the Holy Days and Seasons of the Church observed in any special manner, and is notice given of them according to the Rubric?

(*d*) What special Festivals and religious gatherings for devotion or instruction, are usually held in the Church outside the requirements of the Prayer Book?

(*e*) Is there any Commemoration of the Benefactors of the Church? If not, can you suggest any worthy and proper way in which such a Commemoration might be instituted?

Is a Register kept of such Benefactors according to the Statutes, No. xxiv. p. 52 [= p. 204, *supra*]?

Are there any charitable foundations belonging to the Close?

(*f*) What are the rules, or (if no complete body of rules exists) what is the practice as to the attendance of the Dean, Canons, and other Ministers and Members of the Church at the Offices and Services? Who is responsible for reading the Daily Prayers, Litany, and Lessons, and for Celebrating the Holy Sacrament on Sundays, Holy Days, and Week Days?

Is a list of attendances and absences kept, and by whom?

(*g*) On what principle is the Offertory applied?

[A copy of the printed balance sheet should be supplied for 1887, and others, if possible, for several years past.]

(*h*) Is the Statute of Bishops Davenant and Henchman as to preaching turns (Statutes, p. 125 [= pp. 428, 430]) still observed?

On what authority does the printed list of preaching turns rest?

(See Sarum Almanack and Diocesan Kalendar, p. 13, 1888, and Report of Cathedral Commission, Salisbury, Appendix, p. (3) 1884.)

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Are any modifications in it desirable?

Is there a list kept of Strange Preachers?

(*i*) Do the Persons and Canons of the Cathedral preach in those places whence the revenues of the Church are derived (Canon 43 of 1603)?

3. (*a*) Is Canon 24 (Copes to be worn in Cathedral Churches by those that administer the Communion) observed in the Cathedral?

If not, for what reason has it fallen into disuse?

(*b*) Are the Lay Vicars and Choristers and other attendants properly habited, and are they so placed that they can hear the Sermons?

4. (*a*) Do the "Quatuor Personæ" perform the duties assigned to them by the Statutes or by the common law and custom of Cathedrals of the old foundation?

Does the Dean's or any other peculiar Jurisdiction still exist in any degree?

Can you suggest any fresh means by which these offices could be made to subserve modern needs?

(*b*) What is the precedence and office properly and actually assigned to the Subdean and Succentor respectively?

5. What are the legal requirements and what is the actual practice as to the residence of the Dean, the Quatuor Personæ, the Canons residentiary, and other Ministers and Members of the Church?

How far are the Statutes of 1637, 1672, and 1697, as to residence, held to be binding (Statutes, pp. 119–135 [= 412–455, *supra*])?

Can you accurately trace the process by which the present distinction between Canons residentiary and non-residentiary has grown up? What part in the service is taken by non-residentiary Canons when present in the Church?

6. (*a*) Is the Pentecostal Chapter ordered by the Injunctions of Queen Elizabeth still held (Statutes, p. 110 [= 377, *supra*])?

(*b*) If not, when did it fall into disuse; and is it desirable that it should in any way be revived?

(*c*) Is it desirable that the Bishop should summon the whole Chapter as his Council more frequently, and if so, on what occasions and for what purposes?

(*d*) Would it be advisable for the Chapter to appoint a Standing Committee to assist the Bishop by advice in cases of emergency?

(*e*) What are the rights of the Dean and Chapter during the vacancy of the See?

7. (*a*) Are the gates of the Close properly closed and opened daily, and at what hours, and by whom? Is due order kept within the Close, and by what means?

(*b*) To what persons are keys of the Church, Cloisters, Chapter House, and Library allowed, and under what conditions?

(*c*) Are the Muniments and Library in good order and keeping? Under what conditions can they be consulted? Is there any fund for the improvement and support of the Library?

Could the Library be made more available than it is at present? Is care taken that the books borrowed are returned within a reasonable time?

(*d*) Under what circumstances is burial permitted in the Cloister

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area? Should the rule at present in force be modified? Is a Register of Burials kept? Give a list of those buried there during the last ten years. What is the estimated number of grave-spaces still unoccupied?

8. Are the Cathedral Church and Buildings belonging to the Dean and Chapter insured against fire, and in what offices and for what amounts?

9. Does any special fund exist for the repairs of the fabric of the Church? If so, how is it supplied, and how controlled?

Is it probable that repairs of any extent will be required in the immediate future?

10. What houses, farms, and other property now belong to the Chapter? Has any land been recently sold, and, if so, how has the purchase-money been invested?

Is the Schedule A on pp. (8) to (12) in the Appendix to the Report of the Cathedral Commission, Salisbury, 1884, correct up to the present date, either generally or entirely?

11. (*a*) Can a balance sheet be supplied (1) of the income and outgoings of the Chapter Estates for 1887, (2) of the payments made to the Members, past and present, of the Cathedral Body and the support of the inner life of the Cathedral?

(*b*) Are the accounts properly audited and by whom?

(*c*) Has any money been borrowed by the Chapter, and if so, how much, and under what licence, and with what provision for its repayment?

(*d*) How far will it be possible to maintain the present expenditure of the Chapter? Have you any suggestions to offer on this point?

12. Is the Statute of Bishop Roger de Mortival, A.D. 1319, "de rebus conservandis ecclesiæ" (Statutes, p. 39 [=170]), still observed?

13. What is the position and what are the stipends of the Priest Vicars? What are the legal rights of the Procurator and Commonalty of the Vicars Choral? Have they any muniments, and how, and where are they kept?

Have they houses of residence?

Who now holds the benefice of Laverstock, and has the Incumbent been instituted?

14. (*a*) What is the position and what are the stipends of the Lay Vicars and of the Organist?

(*b*) Are they habitual Communicants in the Cathedral?

(*c*) What provision is made for their retirement when incapacitated by age or other infirmity?

15. (*a*) What arrangements are made for the education and discipline of the Choristers?

(*b*) Is a register kept of their names, ages, and parentage upon entry? (Cf. Statutes, p. 75 [= p. 266, *supra*], as to place of birth.)

(*c*) Are any arrangements made for apprenticing them or otherwise starting them in life after they leave the Choir?

(*d*) Are any other boys educated with them? Would it be possible or desirable to enlarge the School?

16. What is the position, and what are the duties of the Chapter Clerk, and how is he paid? Who has the custody of the Common Seal of the Chapter?

17. What are the duties and stipends of the other officers of the

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Church, not already enquired into? Are they all Communicants in the Cathedral? Have you any remarks to make as to their conduct, or suggestions to offer as to the better ordering or rearrangement of their duties?

18. (*a*) Is the list of the patronage of the Chapter printed in the Clergy List, p. 300, 1887, a correct one?

(*b*) Has anything been done by the Chapter to improve the value of the Benefices in its patronage in recent years?

(*c*) Have any attempts been made to acquire fresh patronage in this Diocese by exchange of Benefices outside it?

(*d*) Are the Chancels of the Churches of which the Chapter receive the great Tithes (if any) in good repair and insured against fire?

19. Have you any suggestions to offer to the Bishop with a view of increasing the efficiency and of strengthening the connection of the Cathedral Church and the Capitular Body with the City and Diocese?

JOHN SARUM.

March 7th, 1888.

VISITATION OF THE CATHEDRAL.

The same to the Deputy Registrars, 16th Mar., 1888.

GENTLEMEN,—With regard to the approaching Visitation of the Cathedral, you will observe that in the Composition made between the Bishop and the Chapter in 1392, Statutes [p. 290, *supra*] it is provided that future Bishops shall introduce their own Secretary (*notarius*) and one Clerk of his own choice, and the Chapter Clerk.

I think, however, that it would add to the value of the Visitation if we could have the assistance of the Chancellor of the Diocese. I beg, therefore, that you will take an early opportunity of laying this letter before the Dean and Chapter, and asking their consent to my being accompanied by Sir James Parker Deane, Q.C.

Should this be agreed, he might perhaps occupy the stall of the Precentor in the Chapter House on this occasion. I see that there *is* a seat allotted to him in the Choir.

I am, faithfully yours,

JOHN SARUM.

PROCEEDINGS AT THE VISITATION OF THE CATHEDRAL CHURCH OF THE BLESSED VIRGIN MARY OF SALISBURY.

To be begun by the Bishop on Friday, 13th April, 1888.

The Visitation of the Cathedral is held under a Composition, dated 30th August, 1392, between Bishop John de Waltham and the Dean and Chapter of Sarum (Statutes, Ed. Dayman and Jones, p. 82 [= p. 282, *supra*]. See also Cathedral Commission Report, 1854).

The last Visitation was held by Bishop Burnet in 1697. A.D. 1888.

The Holy Communion will be celebrated at 8 a.m.

Collect for the Day and the Second Collect for Good Friday; Special Epistle, Isa. xi. 1-6; Special Gospel, Luke xiii. 1-18.

Morning Prayer will be as usual at 10 a.m.

All the Ministers and Members of the Church will appear in their robes.

Special Psalms, lxv. *Te decet hymnus*, and ci. *Misericordiam et iudicium*. Proper Lessons, Zech. iii. and 2 Cor. vi.

After Morning Prayer is over the bell will be rung and the Cathedral Body will proceed into the Chapter House, singing the following hymn in procession :—

"The Church's one foundation."

H[ymns] A[ncient and] M[odern], No. 215.

The Bishop will take his seat in the centre, the Dean on his right hand and the Chancellor of the Diocese on his left.

The other persons and Canons will take their seats according to the order prescribed in the Osmund Register.

The names of those cited to appear will be called by the Bishop's Registrar, and each person present will answer "Here."

A short Office will then be said by the Bishop, consisting of the Lord's Prayer and Versicles, Psalm cxxxiii. *Ecce quam bonum*, and the following Collects :—

ALMIGHTY and Everlasting God, by whose Spirit the whole body of the Church is governed and sanctified, receive our supplications and prayers which we offer before Thee for all estates of men in Thy Holy Church, *especially in this Cathedral Church of Salisbury*, that every member of the same in his vocation and ministry may truly and godly serve Thee: through our Lord and Saviour Jesus Christ. *Amen.*[1]

O HEAVENLY FATHER, strengthen us, we beseech Thee, in love one to another by drawing us to an increasing love of Thyself; keep us from all envy and jealousy in little things or in great, and teach us to rejoice in seeing Thy work done by others rather than ourselves; and finally, we pray Thee grant us grace so faithfully to serve Thee, with one heart and soul, in this life, that the brotherhood which has begun on earth may be perfected in heaven; through our Lord and Saviour Jesus Christ. *Amen.*[2]

O LORD Jesu Christ, Who saidst unto Thine Apostles, Peace I leave with you, My peace I give unto you, regard not our sins, but the faith of Thy Church, and grant us that peace and unity which are agreeable to Thy holy will; who livest and reignest with the Father and the Holy Ghost, one God, for ever and ever. *Amen.*[3]

O ETERNAL Lord God, who holdest all souls in life, we beseech Thee to shed forth upon Thy whole Church in Paradise and on earth the bright beams of Thy light and heavenly comfort, and grant that we, following the good examples of those who have served Thee here and are at rest, particularly the Founders and Benefactors of this Cathedral Church, for whose memory we continually give thanks unto Thee, may with them at length enter into Thine unending joy; through Jesus Christ our Lord. *Amen.*[4]

[1 Oratio solennis in Parasceve, Missale Sar'. col. 325–6.]

[2 J. W., Bp. of Sarum.]

[3 Oratio post *Agnus* in Missali Rom. A.D. 1474, i. 210, ed. H. B. Soc.; Missal. Herf., 1502, p. 133, ed. Henderson.]

[4 Based on W. E. Scudamore's "Words to take with us," p. 122, ed. 1859.]

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Then will follow the Hymn, "Come, Holy Ghost," sung kneeling, H.A.M. 157.

After which all will take their seats (the Choristers and Laymen standing) and the Bishop will deliver his Charge.

When this is finished the Bishop will direct the Registrar to enquire of the Senior Chorister boy in the name of the rest if any of them have any complaint to make. The Master and others present will also be asked if they have any complaint to make of the conduct of any of the boys. If any complaints are alleged notes will be taken of them, and they will be reserved for hearing at the adjourned Meeting.

The Choristers will then be dismissed.

Similarly the other Ministers and Members of the Church will be interrogated, and their complaints, or any complaints against them, will be noted, and they will then be dismissed.

When the subordinate Members of the Church have been dismissed, the Bishop will remain in Council with the Dean and Chapter, who will adjourn to luncheon at the Palace at 2 p.m.

Questions which concern the whole body of Prebendaries, especially some of those raised under Queries 1, 2, 4, 5, 6, 19, will be considered on the first day.

The Question will also be proposed whether it is desirable for the Chapter to draft and enact a new code of Statutes (such as was enacted by the Chapter of Lichfield and ratified and confirmed by Bishop Selwyn, on 20th December, 1875), and present them to the Bishop.

Also, whether it is or is not desirable to petition Parliament in favour of the Bishop of Carlisle['s] Cathedral Statute Bill.

As this will have been considered previously at the Synod, a simple vote will probably be sufficient.

At the adjourned Visitation (on 17th April) questions relating to the services, inner discipline and revenues of the Church, and the position of the permanent Officials and of the Procurator and Commonalty of Vicars Choral will be more particularly considered.

The proceedings on that day will be otherwise the same as on the first day.

The rule of the Composition of the year 1392, "Cesset omnis inquisitio et detectio criminum et defectuum in huiusmodi visitatione finitis quinque diebus a tempore inchoatæ visitationis continuè numerandis," will be observed. [Cf. p. 296, *supra*, sec. (*b*).]

If the Bishop discovers anything during these five days requiring reformation or correction, he will issue a Monition on the subject to the Dean, who will be allowed three months to consult with the Chapter and to take Order as to such reformation or correction, and to report thereupon to the Bishop.

If such Order is not taken, the Bishop will take steps to correct any defects left unreformed.

For the purpose of such reports being presented by the Dean and Chapter after the expiration of three months, the Visitation will probably be prorogued to the Autumn.

By order of the Bishop,
10th April, 1888.

The Visitation having been thus begun on 13th April, 1888, according to the order of proceedings already specified, Bishop Wordsworth, about six months later, on the 29th of October of the same year, having considered the answers which had been returned by members of the Cathedral body to his Articles of Inquiry, delivered to the Dean and Chapter his Mandate concerning matters arising out of those answers.[1] The Great Chapter having met in January and June following, the Dean and Canons Residentiary returned their joint answer to the Bishop's Mandate on 5th July, 1889. Finally, on 30th May, 1890, the Bishop closed his Visitation after delivering his final judgements upon the points raised in their joint answer to his Mandate.

[1] The first set of *Answers*, namely, those returned to the Visitor on the marginal spaces provided for the purpose on the Paper of 19 *Articles of Inquiry* (pp. 470–474) as issued in folio form, or furnished in any supplementary schedules, by *individual members of the Cathedral Body*, have not been examined by the present editors for the purpose of this volume.

29 Oct. 1888.

JOHANNES dei gratia episcopus sarisburiensis dilectis in christo fratribus suis decano et capitulo ecclesie nostrae cathedralis beatae virginis mariae sarum gratiam salutem et benedictionem.

CUM nuper mense aprili anni iam currentis ecclesiam nostram antedictam et membra et ministros eius prout nobis ex debito officii nostri pastoralis incumbebat solemniter Visitaremus, et quaestionibus nostris de statu tam rerum quam personarum dictae ecclesiae ex uobis ceterisque ibidem praesentibus responsiones partim scriptas partim uiua uoce in capitulo redditas reciperemus, defectus, ut scitis, nonnullos comperimus, et alia reformatione uel mutatione indigentia inuenimus; porro inter deliberationes nostras res nonnullae etiam occurrebant quae consilio et definitione egere uidebantur.

Quibus omnibus diligenter cum oratione ad deum patrem caelestem per iesum christum dominum nostrum pro illuminatione spiritus sancti perpensis, Nos episcopus antedictus iudicium nostrum et consilium de illis rebus omnibus in schedula his litteris annexa proferimus et uobis in uirtute dilectionis et obedientiae firmiter iniungimus ut omnia et singula infra Tres Menses a tempore receptionis praesentium secundum tenorem mandati nostri corrigatis et reformetis et nobis quid in praemissis a uobis factum ordinatum et decretum fuerit per litteras infra Octo Dies post lapsum Trium Mensium distincte certificetis sub authentico uestro sigillo.

Fratres pro nobis orate ut nos pro uobis.

Datum in palatio nostro infra clausum Sarum Octobris die xx^mo^ ix^no^ A. S. M.D.CCCLXXX.VIII. et nostrae consecrationis quarto.

JOHANNES SARUM.

JOHN, by the grace of God Bishop of Salisbury, to his beloved brethren in Christ the Dean and Chapter of our Cathedral Church of the Blessed Virgin Mary of Sarum, grace, health, and benediction. 29 Oct. 1888.

(L. S.) WHEN, as from the duty of our pastoral office it was incumbent on Us, We did of late in the month of April of the present year solemnly Visit our Church aforesaid and the members and the ministers thereof, and did receive from you and from the others there present answers made partly in writing and partly rendered in Chapter by word of mouth to our questions touching the state as well of the affairs as of the persons of the said Church, We then discovered, as ye know, some things found to be wanting and other particulars requiring to be reformed or altered. Moreover, while our deliberations were in progress, certain matters came before Us which seemed to call for counsel or for definition.

Having diligently weighed all these things, with prayer to God the heavenly Father for the illumination of the Holy Ghost through Jesus Christ our Lord, We the said Bishop do put forward in the Schedule attached to this our letter our Judgement and our Counsel upon all these matters, and We do firmly enjoin upon you, by virtue of your love and your obedience, that within the space of Three Months from the time of your receiving of the present Letter according to the tenour of our Mandate, ye do correct and reform them all and several, and that ye clearly certify Us, by your letters under your authentic seal, within Eight Days after the lapse of the Three Months, all that which in the premisses ye shall have done or ordained or decreed.

My Brethren, pray for Us, as We do for you.

Given in our Palace within the Close of Sarum the nine and twentieth day of October, in the year of Salvation 1888, and of our Consecration the fourth.

JOHN SARUM.

30 Oct. 1888. MANDATE of the BISHOP concerning the matters treated of in the Answers to the Questions propounded by him at his primary Visitation of the Cathedral, which Answers were exhibited to him in the Chapter House on Friday, the thirteenth day of April, and on Tuesday, the seventeenth day of April, in the year of our Lord 1888.

Question 1. It was replied that the Dean holds the office of Precentor, and that the Chancellor and the Archdeacon of Dorset, who are both Residentiaries, hold no Prebendal Stalls.

With regard to the first of the two questions raised by this reply, I do not wish to express an opinion as to the desirability of such an union of offices under ordinary circumstances, but inasmuch as the arrangement was made by my predecessor, for whom I have the greatest respect and reverence, and as it clearly has certain practical advantages in regard to the centralisation of authority, and as it does not appear to be illegal, I do not think it necessary to recommend any change in the matter.

The other question raised is one of much greater difficulty. My attention has naturally been drawn to the Statute of the year 1319, found in the Constitutions of my predecessor, Roger de Mortival [cap. v., p. 154 *supra*], which is headed, "*De non admittendis ad tractatus Capituli qui nondum sunt assecuti corpora præbendarum.*"

This Statute is of a piece with the general constitution of the Cathedrals of the old foundation, which, as you are aware, does not regard Canons Residentiary as holding a distinct office, apart from other Canons, but treats them simply as members of the Capitular Body qualified by their Prebends, who are from time to time temporarily or permanently called into residence.

The position, therefore, of Chancellor Swayne and Archdeacon Sanctuary is, in my opinion, anomalous and irregular, and must be set right in one of two ways, either by an amendment of the Statute of 1319, or by an appointment in some way or another to one of the antient Prebends.

With regard to the Chancellor, I am glad to be able to state that, with the concurrence of all those concerned, I propose at once to remove the difficulty by reuniting the Prebend of Bricklesworth to the office of Chancellor, which was permanently annexed to it in the year 1240, but disunited from it by an Ordinance or Decree dated January the 8th, 1864, of the Dean, Canons Residentiary, and Chancellor, confirmed by the Bishop.

I desire, therefore, that this Prebend, whenever it becomes vacant, may be permanently reunited by an act of the whole Chapter, to be

offered to myself for confirmation, to the office of Chancellor of this Cathedral Church. 30 Oct. 1888.

In making this announcement, I cannot refrain from expressing my great sorrow that two of our brethren have passed away: universally beloved in our own body and outside it. I mean, of course, Canons Lionel Dawson Damer and Robert Francis Wilson, who have been removed from us since the commencement of the Visitation. It is the vacancy of the Prebend of Beminster Prima, held by the latter of these two Canons, that has enabled me to make this arrangement.

With regard to the Archdeacon of Dorset, while I will not absolutely pledge myself to appoint him to the next vacancy of a Prebendal Stall, I consider that such a qualification should be assigned to him as occasion arises, rather than that we should acquiesce in the creation in practice of a new and anomalous kind of Canon Residentiary for which there does not seem to be any authority, either in our Constitution or in modern Acts of Parliament. Indeed, certain provisions of the Act, 4 & 5 Victoria, chapter 39, section 5, declaring that Deans need not hold Prebends, and that the holding of a Prebend is not nor shall be necessary to the holding of either of the Residentiary Canonries of the Cathedral Church of Saint Paul in London, which are in the direct patronage of Her Majesty, seem to imply that in other cases such limitation does still exist.

I should, however, desire that the Chapter should pass a resolution that the Venerable Thomas Sanctuary, who now holds the office of Archdeacon of Dorset, should be recognised to be as fully and entirely a member of the Chapter as if he had been collated to a Prebend.

I need not say how grateful I am to my predecessor for providing the Diocese with such an effective officer with regard to all the positions that he holds.

While I regret that I am thus bound, after taking legal advice, to judge certain actions of my predecessors in office to have been inexpedient and hard to reconcile with the constitution of our body, I desire to put on record my entire concurrence with them in their ordinary requirement that Canons should all reside within the Diocese, unless they are engaged in some work which is directly for its advantage, such as the Examination of Candidates for Holy Orders and the like.

I am quite willing as Bishop to reduce my own patronage in the directions which I have indicated, and to appoint no Canon Residentiary unless he is qualified by a Prebend, and to uphold the same principle if the Crown shall claim any appointment. On the other hand, I expect members of the Chapter to co-operate with me in concentrating their energies upon Diocesan work, and not to look on the title of Canon as a mere ornament.

Question 2. (*a*) As to the services of the Church, it was reported that the Sermon on Sunday mornings follows immediately after the Litany, and is followed by a break of several minutes; that the majority of the Congregation then disperse, before the commencement of the Communion Service; and that in consequence of this the larger part of the people present do not hear the Ten Commandments and the Epistle and Gospel read, and do not take part in reciting the Nicene Creed. It was also reported that there is no Choral Service on

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Wednesdays, except when a Saint's Day happens to fall on a Wednesday, in which case there is no music on Thursday.

As to the first of these reports, (after careful consideration) I am of opinion that the arrangement has a balance of advantage in its favour, and I do not wish to interfere to disturb it.

As to the absence of music on Wednesdays, I do not consider it so satisfactory an arrangement, though I entirely approve of rest being given to the voices of the boys for one day, or for two Services in the week.

I desire the Chapter to consider whether it would not be possible or advisable to have much simpler music, perhaps by a voluntary or informal Choir, on both Wednesday and Friday mornings, and to have the musical service on all afternoons.

(*b*) As regards the register of Communicants, it appears that there is a list of numbers, but not of names. I desire that a list of names of persons habitually living in the Close should be kept, and that some sign be attached to the names, signifying whether they are or are not Communicants.

The Close is a Parish of some considerable size. According to the Answer made to me, it has a population of 630 persons, and it should be a model to all Parishes in the Diocese.

The Register should be kept by the Vicar of the Close, and be open to the inspection of the Dean and Canons Residentiary, the Sub-dean and myself.

The same book should also contain the names of those confirmed from the same Parish.

(*c*) I desire that the Register of Benefactors should be kept in accordance with Statute 24 [p. 204, *supra*], "*Nomina . . . omnium conferentium dictae ecclesiae nostrae notabilia quaeuis bona una cum sp[eci]e et qualitate collati in Ecclesiae registro seriosius conscribantur ut inter ipsius ecclesiae benefactores ipsorum memoria specialius habeatur.*"

With regard to a commemoration of Benefactors, I should desire that the names in the Register should be entered in a perpetual Calendar, either under the days of their death, or under any other day specially connected with their memory, and that a copy of this should be placed upon the Holy Table for the private use of the Celebrant. Other names of special interest in the history of the Diocese might also be added.[1]

I desire also that a day may be chosen, at the discretion of the Chapter, on which a more solemn commemoration of Benefactors should be made, according to the custom in use in a large number of the Colleges in our Universities and elsewhere. I should suggest that the Chapter should appoint some of its members to confer with me as to the exact form of service to be used on this occasion.

With regard to other services, I should like the Chapter to consider whether it would not be possible to gather the children of the city, not only those in Elementary Schools, on Innocents' Day, as is done, for instance, in Westminster Abbey; and the inmates of the Almshouses of the city on Maundy Thursday.

[1] [Such a Register was kept in a quarto Prayer-Book Kalendar interleaved with vellum by the late Mr. A. R. Malden, M.A., F.S.A.]

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I should like the question to be considered whether it is possible to arrange for a hymn to be sung during the offertory at the early celebrations when they are not Choral, at least during that part of the year when the Students of the Training College are in residence.

Besides the ordinary office of the Cathedral as a centre for those who are professed members of the Church, for which it is largely and worthily used under the management of the present Chapter, I should wish the question to be considered whether it might not be made an instrument for Home Reunion, by gathering, for instance, all the Temperance Societies of the City, or even of the Diocese, on certain occasions, and by other like methods.

(*h*) I understand that the list of preaching turns in the Cathedral now in use is that of Bishop Seth Ward, as amended after his first Visitation.[1] I should like the Chapter to consider whether some modifications of it are not now desirable, and as a basis for consideration I should recommend the proposals in the Draft Statutes already in print.[2] The Dean has replied that a book for entering the names of strange preachers should be provided. I should be glad to see it at any convenient opportunity.

Now that we have a Diocesan Gazette published monthly, it would also be a convenience to the Diocese if the names of Preachers for the month could be accurately given, and for this purpose Prebendaries should be desired to give notice by the middle of the preceding month if they are unable to take their turns.

Question 3 (*a*). It is answered that copes are not worn in the Cathedral at the administration of the Holy Communion, and that since the time of Bishop Jewel, who in 1560 ordered that the offering of a cope for the use of the Church, which was made by a Prebendary on his installation, should be commuted into a money payment [p. 384, § (B), *supra*] they have apparently ceased to be used.

Under the circumstances I shall refrain from making any Order on the subject, understanding that the Dean and other Canons, or the majority of them, do not think that it would be expedient now to make a change in this custom. At the same time, I do not think that it is

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[1] See above, pp. 428, 430. The list which is placed in the Canons' Vestry appears, however, to have been revised 12th August, 1865.

[2] *Draft Statutes* for *Salisbury*, prepared and presented 28th October, 1884, but not apparently sealed or ratified: "Chapter xx., *Of Preaching in the Cathedral.* The Dean and Chapter shall, after consultation with the Bishop, annually arrange at their October meeting the preaching *rota* or calendar for the ensuing year, which may include other than members of the Cathedral Body."

[It may be observed that the list or *rota* makes no definite provision as to the duty of preaching on a Twenty-fifth, Twenty-sixth, or Twenty-seventh Sunday after Trinity when such occur. It is the custom for the Canon who enters plenary Residence in October to invite one of the Prebendaries, either of Gillingham Minor, Durnford, or Winterbourne Earls, to supply the place, as by reason of the "*brevitas temporis*" in the season between the Epiphany Octave and Septuagesima he might otherwise lose entirely his preaching turn that year.]

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satisfactory that our Cathedral should be disobeying the plain language of the 24th Canon, and I should welcome a change of opinion in this matter.

(*b*) Answer has been made by the Dean, "It might be well that the Lay Vicars wore cassocks, and came as the boys do into the Nave to hear the Sermon." I should wish to see both these suggestions carried out. At the same time, as I have desired the Theological Students to take places in the Nave during the Sermon, I should be glad if chairs could be placed for them also, as they often find it difficult to obtain seats, and this difficulty will rather be increased if the Lay Vicars also move into the Nave.

Question 4. (*a*) With regard to the duties assigned to the *Quatuor Personae*, there is no doubt a considerable difficulty, owing to the total disendowment of their offices except that of the Dean. The object, I presume, of assigning the special duties to the Precentor and Chancellor was to secure a high standard of performance in all our Parishes, and to strengthen the unity of the Diocese by the oversight of persons specially qualified as Teachers of secular and religious learning and as Musicians.

The voluntary institutions that have been created to a certain extent make the performance of these duties a less important part of our Cathedral work, nor does it seem possible to insist upon the holders of the offices of Precentor and Chancellor taking the lead in all matters of Music and Education throughout the Diocese. At the same time, it would, I feel sure, be of great benefit to the Diocese, if the Cathedral could supply an Inspector of Church Music, and if some organisation for higher religious education could be connected with our body.

I am glad to learn that not only the Chancellor but several of our Prebendaries have done good service in lecturing and in organising meetings of the Clergy for the purposes of study and discussion. Such lectures and meetings are of great value, but they do not appear wholly to cover the ground. I should like to refer to what is now being done in the neighbouring Diocese of Winchester amongst lay people, especially with regard to the study of Holy Scripture, the history and contents of the Prayer-book, and Church History in general.

I shall be willing to help in founding and assisting any system of lecturing, examination, and prize-giving which the Chapter may think it possible to create. A resolution on this subject will be passed at the Synod of Clergy to be held on 31st October of this year, and our action as a Chapter will naturally be guided by its result.

(*b*) I understand that some difference of opinion exists as to the precedence to be assigned to the Subdean and Succentor when they do not hold Prebendal Stalls. I should be willing to sanction an arrangement in such a case by which they should take rank amongst the Prebendaries according to the date of their appointment. When they hold Prebendal Stalls there is no doubt in my opinion that they take rank next after the Archdeacons. I think that it should be made clear by resolution, if not by Statute, that the Precentor, Archdeacons, Subdean, and Succentor have a right to be summoned to Chapter Meetings of the whole body.

Question 6. (*a*) It is reported that the Pentecostal Chapter ordered

by the Injunctions of Queen Elizabeth [p. 377; cf. 389] is no longer held, and has not been held since the year 1813. 30 Oct. 1888.

There seems to be a considerable feeling amongst different members of the Chapter as to the desirability of more frequent meeting for Chapter business.

Without insisting that this Chapter should be summoned every year, I desire that the experiment should be made of summoning it next year, and that some resolution should be arrived at, whether by Statute or otherwise, giving the Prebendaries a right to be summoned by the Dean to such a Chapter (not necessarily only at Pentecost), upon a request being made to him by a certain proportion of the members of this Chapter.

(*c*) I desire to express my gratitude to the Chapter for their readiness to give me their counsel and advice on the several occasions on which I have already summoned them as my council, and for the valuable assistance which they have given me, especially with regard to the revival of the Synod of the Clergy of the Diocese, which will meet, God willing, on 31st October next as already noticed.[1]

(*d*) The question of the appointment of a Standing Committee of the Chapter was discussed at the Visitation, and as the majority of those present were not in favour of it, I do not propose to ask you to appoint such a Committee. But I reserve to myself the right to ask the Dean to summon, in cases of emergency, such members of the Chapter as I deem to be fitted to give me advice on the question which may have arisen.

(*e*) With regard to the rights of the Dean and Chapter during the vacancy of the See, these rights are exercised by an official selected by the Chapter. I believe that on the last occasion this official was elected only by the residentiaries, but this appears to be irregular, inasmuch as it is notorious that the whole Chapter must be summoned to elect a Bishop and to elect a Proctor in Convocation.

I desire, therefore, that on a future occasion the whole Chapter should be summoned for this purpose.

Question 7. (*b*) A list of persons having keys of various parts of the Cathedral buildings was exhibited by Mr. Bindley, showing a total of

[1] The Bishop had already written to the Dean on 20th September, 1888, telling him of his intending to hold "a Diocesan Synod of the beneficed and licensed clergy in Priests' Orders on Wednesday, 31st October next." He asked the Dean "to summon the whole body of the Chapter (intimating that attendance of those at a distance was not pressed as an absolute duty) on Thursday, 4th October," at whatever hour the Dean thought best. His purpose was that he (the Bishop) might consult the Chapter as his Council on the matters to be treated at the forthcoming Synod of all the Diocesan Clergy in Priests' Orders, on the matters to be treated and the method of business to be followed on the 31st. Such a Synod was held three times in the course of Bishop Wordsworth's Episcopate (in 1888, 1897, and 1908), and is of course quite distinct from the Synod of Representative Clergy and Laity, which has met annually since it was established by Bishop Moberly, 14th Nov., 1871.

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at least 56 in the hands of members of the Body, and workmen and servants in its employment.

It appears, however, from the Dean's answer, that five residents in the Close, not members of the body, have keys probably of the Cloisters, by leave of the Dean and under written guarantees.

I desire the Chapter to consider whether it might not be right that the number of keys in the hands of members of the Body and their servants should be reduced, and that the practice of allowing keys to persons not members of the Body should be discontinued entirely. Possibly the simplest plan to effect this purpose might be to alter the locks of the Cloister doors and to alter certain keys only to fit the alteration.

(*c*) With regard to the Library, I should be glad if permission might be given to the Lay Officers of the Bishop and the Chapter to take books out of the Library.

(*d*) With regard to burials in the Cloisters, I should be glad if still further steps could be taken to limit the number of burials in the Cloisters area, as I do not consider that others than members of the Chapter, or persons closely related to them, should be buried so close to the Church and to the Bishop's own dwelling-house, in ground which is notoriously saturated with water at some seasons of the year.

Question 11. (*a*) A Report upon the financial condition of the Chapter, made by Messrs. Spain Brothers and Company, of 76, Coleman Street, London, East Central, consisting of 38 foolscap pages and based on the accounts from 1875 to the end of 1886, has been laid before me since the adjournment of the Chapter.

This Report is divided into three parts, the first dealing with the Chapter Estates and Communar's Accounts; the second with the Fabric Estates Accounts; and the third with the Choristers' Estates Accounts.

This Report discloses that owing to agricultural depression and other similar causes the Chapter have felt themselves obliged to borrow from their bankers. . . .

The prospects of this [first] account are still very unsatisfactory; the items of the overdrafts laid before me are: . . . the Dean and Residentiaries . . . have, I am thankful to be able to state, made arrangements to do so.

I desire hereby to thank them for the personal sacrifice which they have made and are making, notwithstanding their greatly diminished incomes, and for their evident determination to put the finances of the Chapter on a sound basis.

It is probably not known, even to members of the Chapter, that the income of each Residentiary Canon for this year 1888, instead of being £500, as it was intended to be when the transfer of estates was made, is not half that sum.

Question 12. I desire that the Statute of Bishop Roger de Mortival, A.D. 1319 [pp. 170, 172, *supra*], "*de rebus conservandis ecclesiae*," which refers to all the goods of the Church as well as the muniments, should be observed in future.

Question 13. With regard to the Parish of Laverstock, I am glad to receive the assurance of the Vicars Choral that it is their wish that

it should be made a Benefice, and I shall gladly co-operate with them in approaching the Ecclesiastical Commissioners that steps should be taken to carry this out. 30 Oct. 1883.

Question 15. I desire to thank the Officers of the Chapter for the care taken in the education and discipline of the Choristers, whose behaviour appears to be all that could be desired as long as they are resident among us.

I should wish, however, that the question should be considered whether their religious education might not receive more attention from the hands of some of the dignitaries of the Chapter. I may mention, as instances of what I mean, that my father, when Canon of Westminster, used, during his residence, to instruct the choir boys every Sunday evening. And at Rochester, it was the custom for every Canon in residence to give similar catechetical instruction on the Collect, Epistle, and Gospel before morning service on Sundays.

The usefulness of such instruction is not only to be measured by the actual information imparted on such occasions. It also has the great advantage of giving the senior members of the Chapter an insight into and an interest in the children committed to our care, to whom we are to a certain extent in the position of parents.

It appears to me that our School might very well become a training-place for the Clergy or members of the other liberal professions. I may mention that the Choir School at Hereford has supplied some of the best scholars to Brasenose College, Oxford, for many years past, though they had not all been previously members of the Choir.

It is not necessary, and might not be desirable, that boys educated here should remain on the spot until they went to the Universities. It would not be difficult, with the interest and power possessed by a Body like our own, to forward boys of promise to other Schools. A few instances of success would very soon react to draw a higher class of boys to enter as Choristers.

Question 18. (*c*) It is unnecessary to point out to the Chapter the desirability of acquiring the patronage of Bradford-on-Avon from the Chapter of Bristol, in exchange for the patronage of Cricklade. As both Benefices have recently been filled by Priests of about the same age, I trust that an opportunity may be found before long of negotiating this exchange.

Question 19. Various suggestions have been made with a view of increasing the efficiency and of strengthening the connection of the Cathedral Church and the Capitular Body with the City and Diocese.

They do not, however, for the most part admit of being reduced to the form of definite instructions on the part of the Visitor.

Some of them are suggestions for additional daily services, or for a Sunday evening service, but under the circumstances of our Cathedral, I do not feel called upon strongly to recommend any change in these respects, desirable as I should undoubtedly think them if our Cathedral were placed in a large and populous town. I should, however, wish careful consideration to be given to the proposal made by the Subdean [1]

[1] The Reverend George Hugh Bourne, D.C.L., Subdean, 1887–1901; now Treasurer of the Cathedral Church.

30 Oct. 1888. of an Evening Service on Saturday or Friday, at 8 p.m., with an instruction to Communicants as a preparation for Sunday.

There is no doubt a danger in a Society like our own that reception of the Holy Communion should become too much a matter of course. I may refer to the Charges of the present Archbishop of Canterbury, published in the volume called *The Seven Gifts*, as containing admirable suggestions for such a service.[1]

I should be quite willing to sanction a form of public confession and self-examination based upon the Ten Commandments, such as is now used in many places, not only for the Cathedral, but also for the Diocese.

With regard to the use of the Cathedral by Diocesan Parochial Guilds, which is recommended by several members of the Chapter, and by less formal visits to be paid by Church workers from different Deaneries and Parishes, I feel sure that any well-considered plan put forward by those who are interested in these things will be heartily welcomed by those who have the custody of the building. A visit of all the Church workers of a District or Town to one of the ordinary services of the Cathedral would often not be difficult to arrange in the Summer months, and would be greatly enhanced in value if the Canon in Residence or some other member of the Chapter were willing himself to act as guide to the party, and to point out to them the different features of interest in the building.

Such gatherings, I believe, frequently take place in the Diocese of Lichfield.

They formed a remarkable feature of the Dedication Week of the new Cathedral at Truro, as some, I think, of my brethren are aware.

With regard to our relations to the City, it is suggested that a more frequent interchange of pulpits with the City Incumbents might be desirable.

Historically it is, I suppose, true that the Presbyters of the City were the original Council of the Bishop, and that the Cathedral Chapter has in process of time taken this place.

There seems, therefore, to be a certain propriety in giving the Incumbents in the City a more honourable position within the Cathedral walls than other Parochial Clergy.

I should be glad to think that it was possible, for instance, that the City Incumbents should each have a preaching turn once in the year, and that some similar duty was recognised by the Dean and other Residentiaries as part of their ordinary work. That this is largely done by them already, as a matter of courtesy and kindness, I am well aware.

The old formalities of progresses and courts are, I presume, well-nigh obsolete as regards the Chapter, and the function which used to be discharged by their means is now to a great extent performed by the visits of Archdeacons and Rural Deans. Nevertheless, I should

[1] *The Seven Gifts.* Addressed to the Diocese of Canterbury in his Primary Visitation. With an Address on Missions. By Edward White Benson, Archbishop of Canterbury. London: Macmillan and Co., 1885, 8vo, pp. 255.

consider it a most desirable arrangement, if it were possible so to map out the Parishes in the Patronage of the Dean and Chapter and those in which their Estates lie, that each of them should receive, once in two or three years, a visit from one of the Residentiaries at something like regular intervals. 30 Oct. 1888.

With regard to the relation of the Chapter to the Vicars Choral, several suggestions have been made for the practical amalgamation of the two bodies.

The difficulty in carrying out such suggestions lies mainly in the fact that the human voice does not usually retain its perfection for the whole period of vigorous life. It is therefore necessary to provide for a succession of those Canons who are appointed to sing the services. Provided that this difficulty could be overcome, I should look with great favour on any well-considered scheme which may be submitted to me.

I should certainly be glad to see the Canons who sing placed as far as possible on an equality with the rest of the Body.

Lastly, it has been intimated that there is room for the discussion of matters of a more spiritual character in the meetings of the Chapter. I presume that, as a matter of course, these meetings begin and end with prayer, and that however secular the business treated of may be, the aim of God's glory and the edification of His people is always kept in view.

It is difficult, of course, always to maintain a high tone of spirituality, especially under the depression of pecuniary embarrassments, but the Cathedral body has shown such an earnest desire to make a worthy use of the glorious inheritance which God has put into its charge, for the highest purposes, that I am convinced that it will continue more and more to realise its exalted position in the Church, and to be an example both within and without of what a Society of devout and spiritual men ought to be.

Brethren, I thank you for the affection and sincerity which has characterised your answers to my Visitation questions; I now commit my determination on the matters submitted to me to your prayerful consideration by these presents, and desire that you will report to me the action which you take in answer to this Mandate, within the time specified in my official letter.

JOHN SARUM.
30*th October*, 1888.

D. J. K. MACDONALD,
Notary Public,
Deputy Registrar.

5 July, 1889. (L. S.)

Viro reverendissimo
Episcopo Sarisburiensi.
Nos Decanus et Canonici
Ecclesiæ Sarisburiensis,
rebus et quæstionibus
quas nobis in Mandato
tuo Episcopali
nuper proposuisti
diligentissime perpensis,
Jam tibi, in hoc libello
nostram de unaquâque re
sententiam summâ cum observantiâ remittimus.
Datum Julii die v. M.D.CCC.LXXXIX.
sub sigillo.

Georgius David Boyle.
Douglas Hamilton Gordon.
Franciscus Lear.
Robertus Georgius Swayne.

[A LETTER from the DEAN and CANONS, in RESPONSE to the BISHOP'S MANDATE of 14 Feb., 1888.]

To the Right Reverend the [Lord] Bishop of Salisbury. We the Dean and Canons of the Church of Salisbury having very diligently considered the matters and questions which you have recently placed before us in your Episcopal Mandate, do now return you in this little book [1] our opinion on each subject with our most dutiful regard.

Given on the fifth day of July, 1889, under seal.

George David Boyle (*Dean,* 1880–1901).[2]
Douglas Hamilton Gordon (*Treasurer,* 1860–1891).
Francis Lear (*Archdeacon of Sarum,* 1875–1914).
Robert George Swayne (*Chancellor,* 1877–1894).[3]

[1] The "*libellus*," to which the Latin Letter opposite is the covering introduction, will be found printed on pp. 492–3. The subjects which the Dean and Canons discussed in common, and to which they thus returned a collective answer, were certain salient points arising out of the 19 *Articles of Inquiry* (7 March, 1888), printed on pp. 470–474.

[2] From 1881 until 1896 Dean Boyle held the (disendowed) office of Precentor along with the Deanery.

[3] The three Canons, who add their names to that of the Dean, sign here, not in the order of the Dignities or Offices which they held, but each according to his seniority in admission to one of the Residentiary Houses in the Close.

ANSWER [from the Dean and Residentiary Canons in Chapter] to the MANDATE of the Bishop concerning the matters treated of in the Answers to the Questions propounded by him at his Primary Visitation of the Cathedral, held on Tuesday, the 17th day of April, in the year of our Lord 1888.

Copies of the Mandate have been circulated among the members of the Chapter, and at Meetings of the Great Chapter held on the 10th day of January, 1889, and on the 13th day of June, 1889, various questions were considered.

Qu. 1. [*Ans.*] It was resolved by unanimous vote of the Chapter that this Chapter, desiring to uphold the ancient custom of the Cathedral Church, whilst they are ready to respect the existing interests, are of opinion that the office of Dean and Precentor should not be held by one and the same person, and with regard to the holding of the Prebends that any spiritual person who should hereafter be appointed a Canon Residentiary should be and continue to be a Prebendary of the Cathedral. It was also unanimously resolved that the Dean and four Canons Residentiary should deal with all further questions referred to in the mandate on behalf of the Greater Chapter.

Qu. 2. (*a*) [*Ans.*] The question of the continuance of the Wednesday non-choral service will again be most carefully considered during the present year.

(*b*) A Register of Communicants will be kept by the Rev. H. W. Carpenter, Vicar of the Close. There will also be a list kept of those who are confirmed.

(*c*) At the meeting of the Pentecostal Chapter on 13th June, 1889, a draft of Services prepared to be held on the 5th November in commemoration of Benefactors, was referred to a Committee consisting of the Dean and four Residentiary Canons, and five other members elected by the Great Chapter.

It was thought undesirable that a hymn should be sung at the early celebrations of Holy Communion.

The annual festival of the Church of England Temperance Society was held in the Cathedral on 26th June, 1889, but the difficulties as to combining with this service the presence of other Societies seemed insuperable.

(*h*) A lengthened discussion took place at the Pentecostal Chapter as to the rota of Preachers, but it was eventually resolved that the

rota for the present be unaltered.[1] The names of Preachers will be made known to the Editor of the Diocesan Gazette. A Book for Preachers has been in use since Advent Sunday, 1888. 5 July, 1889.

Qu. 3. [*Ans.*] The Laymen of the Cathedral now wear cassocks, and take their place in the nave during the Sermon.

Qu. 4. [*Ans.*] The action of the Synod of Clergy has been taken upon the subject of the higher religious education, and the hearty co-operation of the Dean and Chancellor assured.

Qu. 5. [*Ans.*] After a protracted discussion on the subject of the precedence of the Subdean and Succentor, the following resolution was adopted by the Great Chapter:—"That this Chapter, while recognising in the ancient custom of the Cathedral a precedence on the part of the Subdean and Succentor over non-residentiary Canons by reason of their representation of the Dean and Precentor respectively, with respect to seats in the Choir, place in procession, and enumeration of names, are of opinion that such does not extend to a participation in the sacred offices."

Qu. 6. [*Ans.*] The Dean, it is considered, is the person to convoke the Great Chapter, and that he will do so at the wish of the Bishop, but not at the request of Prebendaries.

Qu. 7. (*b*) [*Ans.*] The Masters of the Fabric are responsible for the number of keys of the Cloisters, and their safe care.

(*c*) The Lay Officers of the Bishop and Chapter may have the use of the Library.

Great care is taken and will continue to be taken as regards burials in the Cloisters.

Qu. 12. [*Ans.*] An inventory of the goods of the Cathedral has been made according to the Statute of Roger de Mortival.

Qu. 15. [*Ans.*] The religious education of the Choristers is under the direction of the Custos Puerorum, and special instruction is given in Lent, and at other times. It is hoped that in a few years the funds of the Choristers' property may admit of the foundation of some exhibitions.

Qu. 18. [*Ans.*] There is reason to hope that an exchange may be effected of the Vicarage of Bradford-on-Avon and the Vicarage of Cricklade S. Sampson.

Qu. 19. [*Ans.*] The issue of a preparation for Holy Communion by the Visitor will be most welcome to the Chapter. During Lent special addresses on the subject of Holy Communion are given. It seems most desirable that services should be held in the Cathedral for Guilds, and special gatherings, and that the City Incumbents be asked to preach in the Cathedral, but not as a matter of right.

The Dean and Residentiary Canons are ready to preach in those parishes in which their property is situated.

The position of the Vicars Choral is secured by Act of Parliament, and cannot be altered except by special legislation.

[1] A copy of the Rota of Preaching Turns, as revised in 1865, after that which had been current from the latter part of the XVIIth century is printed below. As it is still in use, we give in its last column the names of the Canons as they stand at the present day, in 1914.

30 May, 1890. JOHN, by Divine permission BISHOP OF SALISBURY, To our beloved in Christ the Dean and Chapter of our Cathedral Church of Salisbury, Grace, Health and Benediction:—

It is now my duty to bring to a close the Visitation of the Cathedral and Chapter, which was begun by me on Friday, the thirteenth day of April, and continued on Tuesday, the seventeenth day of April, in the year of our Lord 1888, in accordance with precedents observed in this Cathedral since the time of the composition made between the Bishop and Chapter in the year of our Lord 1392.

It will be within your memory, that in accordance with the same precedents, I addressed to you a letter, dated the twenty-ninth day of October, 1888, and appended to it a mandate, dealing with the answers made to my Visitation queries on the days first mentioned, which mandate was read at a meeting of the whole Chapter, in the Chapter House, on the thirteenth day of October, 1888, and there signed by myself.

In answer to this mandate, I received a letter in Latin,[1] dated the fifth day of July, 1889, under the Chapter seal, signed by Georgius David Boyle, Douglas Hamilton Gordon, Franciscus Lear, Robertus Georgius Swayne, accompanied by formal answers to the directions and suggestions contained in my mandate.

The precedents above referred to give the Bishop power to correct and reform any defects which have not been corrected and reformed by the Dean and Chapter after receiving his mandate, for which purpose three months are allowed. These three months have long elapsed, and I have therefore to consider how far the answers of the Chapter made on July 5th, 1889, are satisfactory, and simply require an expression of assent on my part.

You will permit me in general terms to express my great satisfaction at the unanimity which has prevailed in the proceedings, and at your readiness to accept the expression of my desires as Visitor, contained in my mandate.

[1] [See above, p. 490.]

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For the purposes of convenience, I will arrange my final judgments on the matters which have been brought under my notice at the Visitation, under the heads of the different questions.

I. In regard to the persons holding office in the Chapter, and the tenure of Prebendal Stalls by them,—I hereby give notice that I desire to revive five of the Prebendal Stalls which have been for some time in abeyance, and to offer them to the present holders of the following offices, viz. :—

The Chancellorship, the Archdeaconry of Dorset, the Archdeaconry of Wilts, the Subdeanery, and the Succentorship, who are without stalls, with a view to their permanent annexation to those offices, with the exception of the Chancellorship, to which the Prebend of Brickleswort is upon the next vacancy to revert, according to your judgment as well as my own.

I should also wish—and I do not doubt that I shall have your hearty concurrence—to invite the Dean of Windsor to renew his connexion with our body, and to collate him (if he is willing) to the Prebend of Okeburne or Ogborne. The parishes of St. George, and St. Andrew, Ogborne, are, as you are all aware, still in the patronage of the Dean and Chapter of Windsor.

The other Prebends which I should desire to revive or, if need be, to refound, are as follows :—

1. *Ramsbury.*—This was exchanged in 1545 for Gillingham Major. It seems desirable to refound it, and attach it to the Archdeaconry of Wilts. I am willing myself to give one hundred pounds to form a small capital sum for its endowment. Such a capital sum might perhaps be best put in trust in the hands of the Salisbury Diocesan Board of Finance.[1]

2. *Sherborne.*—This I propose to refound also myself, and to attach it to the Archdeaconry of Dorset.

3. *Loders.*—This, I believe, might be revived by my simply collating to it, if the Chapter were willing to instal the person collated.

[1] [The Board holds trust funds for the stalls of Netheravon and Netherbury in Terra.]

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4. *Faringdon.*—This might, I believe, be revived with the aid of the Lord of the Manor of Faringdon, if he was willing to yield all claim to the Ecclesiastical dignity.

5. *Blewbery.*—This was merged in the temporalities of the See, and could be refounded like the others if thought fit.

It is probable that there are questions connected with these revivals which cannot be answered without mature consideration. I therefore desire the Chapter to be good enough to appoint a Committee of our brethren, learned in the history of the Church, to confer with me as to what steps should be taken in the matter, and to report to the Cathedral Body when we meet in November for the Commemoration of Founders and Benefactors.

I cannot refrain, whilst treating of this question, from recalling that one has been taken from our body whose office, had he lived, would have been affected by it, and whose loss has been a great one to us.

Thomas Sanctuary, for twenty-seven years Archdeacon of Dorset, and for fourteen years a Canon Residentiary of this Cathedral Church, died suddenly, after but a few hours' illness, on the twenty-seventh of May, just a year ago. In him I have lost a loyal and devoted friend, the Chapter a zealous and capable brother, and the whole Archdeaconry a most practical and affectionate administrator, counsellor and guide.

In mentioning this loss, I must also remark in connexion with this question, that in filling up his place in the Chapter I have followed the principle indicated in my mandate, and which was embodied in an unanimous resolution of the Chapter, viz.: "That any spiritual person, who shall hereafter be appointed a Canon Residentiary, should be and continue to be a Prebendary of the Cathedral." And accordingly, to fill the vacancy amongst the Residentiary Canons, caused by the death of Thomas Sanctuary, I have collated Edward Russell Bernard, Prebendary of Coombe and Harnham, who has already, I am convinced, justified his appointment in the eyes of all who know him.

II. With regard to the Commemoration of Founders

and Benefactors, I desire to record my thankfulness to Almighty God for His blessing upon the Festival held for the first time, last year, on Tuesday, November 5th, and appointed to be held annually on the Tuesday after All Saints' Day. A.D. 1890.

I regard this Festival as a very important link between the present and the past, and as one worthy of the traditions of our ancient Church, which has thus set an example which I feel sure will be followed by other Dioceses.

I hope that this Festival will often give an opportunity for meetings of the whole Chapter, and will always be a prelude to the Conference of Archdeacons and Rural Deans, which I have found so practically useful in the administration of the Diocese.

I desire to thank the Chapter for having attended to my wishes in providing a register of communicants, a list of those who are confirmed, and a Preachers' book.

III. (*b*) I desire to thank the Chapter for having caused the Lay Vicars to be properly habited in cassocks, and for arranging for them to be seated in the nave during the sermon.

IV. With regard to the subject of religious education in the Diocese, I desire to thank the Chapter for their cordial and effective support given to the resolution of the Synod of Clergy held in the Chapter House on Wednesday, 31st October, 1888.

The Society for Higher Religious Education, founded as an outcome of that resolution, has now been in work for over a year, and has eighteen centres in the Diocese, and nearly fifteen hundred members.

I wish especially to thank the Dean, the Chancellor, [and] Canons Bernard and Whitefoord, for the work which they, as members of the Chapter, have already so generously done for the Society.

V. With reference to the rights of the Precentor, the Archdeacons, the Subdean, and the Succentor, I hereby declare it to be the custom of the Cathedral Church of Sarum, and, as far as in me lies, give authority to the custom, that the Precentor, the Archdeacons of Dorset,

A.D. 1890. Wilts, and Sarum, the Subdean and Succentor, have a right to be summoned to Chapter meetings of the whole body, whether they hold Prebendal Stalls or not, or until the proposed revival of Stalls before referred to is carried into effect, notwithstanding any ancient statutes which may have directed otherwise, such statutes having been abolished, and rendered of none effect, by the contrary custom.

I observe that the Chapter has come to the following resolution in regard to the precedence of two of these officers:—"That this Chapter, while recognizing in the ancient custom of the Cathedral a precedence on the part of the Subdean and Succentor over non-residentiary Canons by reason of their representation of the Dean and Precentor respectively, with respect to seats in the Choir, place in procession, and enumeration of names, are of opinion that such does not extend to participation in the sacred offices."

I regret that I do not see my way to giving my adhesion to this resolution exactly as it stands. I have not as yet seen any sufficient reason to doubt the decision come to by my predecessor, Bishop Moberly, after consultation with the Chancellor of the Diocese. I should, however, be willing to agree to giving precedence in the administration of the Holy Communion to the Canon or Prebendary of the week, over the Subdean and Succentor. It seems fitting that there should be a certain honour and dignity attached to the fulfilment of the duty of public preaching by Prebendaries in their turns, somewhat of the kind given by custom to Residentiary Canons. Such a precedence, however, should not, in my opinion, be given to non-Residentiary Canons, except when they are doing their duty on the Sunday fixed for them, *i.e.* should not be given in cases of exchange of Sundays with another Prebendary.

VI. As to the Pentecostal Chapter. I accept the resolution of the Chapter that the Pentecostal Chapter should be summoned by the Dean, at the request of the Bishop; and I accordingly hereby request the Dean to be kind enough to summon the Chapter at or about the Festival of Pentecost next ensuing, and hereafter annually,

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until the next Visitation of myself, or of my successors, Bishops of Salisbury, in order that the experiment of its usefulness, and benefit to the whole body, may be fully tried.

Provided always, that I, or any of my successors, Bishops of Salisbury, may suspend this order, either *proprio motu*, or upon a representation made by the Chapter, that it is inexpedient that it should so be held.

VII. (*b*) I regret that the Chapter has not seen its way to meeting my suggestion as to the keys of the Cloisters, and other parts of the Cathedral, in a more explicit manner. The possession of a key is a sign of ownership, and this ought not in my opinion to be conceded to any except those who are actual members or servants of the Corporation.

(*c*) I am glad to accept the permission to use the Cathedral Library, kindly accorded to my lay officers, viz. Messrs. Douglas John Kinneir Macdonald and Arthur Russell Malden, my deputy Registrars, and Mr. Clifford Wyndham Holgate, my Secretary.

(*d*) With regard to burials in the Cloisters, while thanking the Chapter for their care in this matter, I must again record my opinion, that such burial should be limited to members of the Cathedral body or their near relatives.

I am aware that it is difficult legally to enforce this restriction, but I am convinced that unless it is made a practical rule, the Cloisters will probably be closed as a burial ground before very long, by order of the Home Secretary.[1]

XII. I desire to thank the Chapter for having caused an inventory of all goods of the Cathedral to be made, according to the statute of Roger de Mortival.

XIII. With regard to the parish of Laverstock, I am glad to have the assurance of the Vicars Choral that preliminary steps have been taken towards making this parish a Benefice presentative.

XV. I am grateful to the Chapter for the answer

[1] [Susan Esther Wordsworth was not buried in the Cloister Garth, but at Britford, in 1894, and the Bishop in like manner in 1911.]

A.D. 1890.

which they have made in regard to the Choristers, whose well-being is a matter of great interest to us all.

I take this opportunity of putting on record my hearty appreciation of the services of the Reverend George Bennett,[1] as Master of the Choristers' School, who has watched over the boys with a tender anxiety that has shielded them from many dangers, who has treated them with great generosity and affection, and who has been rewarded by the signal success of some of them after leaving the school—a success which has shown the value of his early teaching and training.

[1] [Mr. Bennett was Assistant Master of Christ's Hospital, 1869–81; Priest Vicar of Sarum, 1882–90.]

Mr. Bennett will carry with him to his Benefice of Folke the good will of all the members of our body.

Notwithstanding the great advantages which the Choristers receive from such training, and from the less formal instruction of kind friends of the School, it is, I think, clear that they are at some disadvantage from an educational point of view, owing to the strain perhaps of difficult modern music, and the increasing number of services at which their presence is required. I believe it is true that the Choristers' voices break earlier than formerly, and that the continuity of teaching is thus much interrupted.

Consequently, I regard as of great importance the foundation of leaving exhibitions, to enable specially deserving boys to continue their education at other schools when they are compelled to leave us.

Whilst, however, I earnestly press upon the Chapter the desirability of founding such new exhibitions, for special educational purposes—should the finances of the Choristers' property permit of it—I would still more earnestly urge that an early opportunity should be taken of reverting to the former practice of giving each Chorister, of good behaviour, on leaving, the customary payment of thirty pounds, in three annual instalments of ten pounds each, for an apprentice fee, or as an assistance on his entrance into life in whatever way may be best for him.

No doubt the generosity of the Custos Puerorum and of the Master of the Choristers' School has very much supplied the place of such payments or exhibitions, and

the thanks of the Chapter are due to these officers probably to a greater extent than some of our body are aware of. A.D. 1890.

But it would not be right to expect such generosity to become permanent, and indeed, now that Mr. Bennett is leaving us, it is not to be expected that his successor will continue such support in the same way.

I feel sure that the Chapter will make a very careful selection of a new Master of the Choristers' School, and I am content to leave the matter in their hands, in counsel with the Master, desiring that they will have the goodness to report to me the plan which is determined on.

Commending you to the protection of the Almighty God and to the guidance of His Holy Spirit in all these matters that concern the common well-being of our great inheritance,

I am,

Your faithful friend and brother in Christ,

JOHN SARUM.

Friday, 30th of May, 1890.

I hereby give notice, as Visitor, that the Visitation of the Cathedral Church of the Blessed Virgin Mary of Salisbury is hereby brought to a conclusion.

JOHN SARUM.

30th May, 1890.

Note on p. 483.

The List or Cycle of Preaching Turns, to which Bishop John Wordsworth referred in 1888 (p. 483) as having been drawn up or authorised by Bishop Seth Ward (*cir.* 1672), is here given from the first pages of the xviiith-century MS. labelled "*Constitutions.*" It remained (practically) unaltered for about two centuries, and the substance of it was printed, in an English form, as "The Order for the Days of Preaching," more than once, viz. in "A *Guide* to the Cathedral Church of Salisbury. With a particular account of the late Great Improvements Made Therein, under the direction of *James Wyatt*, Esq.—By *William Dodsworth*, Verger of the Cathedral" (8vo, Salisbury; B. C. Collins, 1792), pp. 82–84. Also in his large 4to volume, "An *Historical Account* of the *Episcopal See* and *Cathedral Church of Sarum* or *Salisbury*" (4to, Salisbury, Brodie and Dowding, 1814), p. 240, Dodsworth included "A List of the Preaching Turns," which differs from the xviiith-century book merely in such slight variations as "The Precentor" (1812) for "Mr. Chantor" (1792). Dodsworth, moreover, notes more precisely that

circa 1792–1812.

"Those three Prebends { Major Pars Altaris / Minor Pars Altaris / Stratford } have no preaching turn

· { *Potterne* / *Heytesbury* / *Bricklesworth* / *Calne* } { is annexed to the } { Bishopric / Deanery / Chancellorship / Treasurership."

And (in 1812) he adds also certain

"Preaching Turns provided by the Dean and Chapter.

King Charles's Martyrdom [30th Jan.],[1]
Easter Day, in the afternoon,

[1] These three Solemn Days were prescribed to be observed by Acts of 3 Jac. 1 and 12 Car. 2 (c. 30 and c. 14). These were repealed by 22 Vict. c. 2, in 1858-9, the direction for the use of the appointed Forms of Prayer being about the same time (17th Jan., 1859), so far as it depended on the authority of the Crown, rescinded by Royal warrant. But the place of these anniversaries in the Kalendar, under the Act of Uniformity, 1662, was not legally affected by such changes.

A.D. 1812.

The Restoration [29th May],[1]
The King's Inauguration,
The Fifth of November,[1] and
All public Days and Thanksgivings.

"All Holydays are provided by the Chancellor of the Church, except Good Friday, Saint Paul, and Saint Barnabas, as already noticed."

*** It may be noted that to the two original columns of the following document of the Restoration period we have, for the sake of convenience, added a *third* column to give the names of the Dignitaries and Canons responsible for the Turns of Preaching at the present day (1915). We have also inserted the additions or alterations of 1865, and have *obelized* these with a †double dagger†.

c. 1672 (& 1915).

*Combinatio[2] Concionatorum in Ecclesiâ Cathedr. B. Mariæ, Sarum.

* MS. Constitutiones, p.i. [column *a*.]

Easter Day.	*Dominus* Decanus	Very Reverend William Page Roberts, D.D.
Dominica 1â	D. Precentor	Ven. Harry W. Carpenter
2â	D. Cancellarius	Edward Russell Bernard
3â	D. Thesaurarius	George Hugh Bourne
4â	Archidi*aconus* †Berks†	†*hodie* Dorset] Ven. Charles Leslie Dundas
5â	,, Sarum	Ven. Harry W. Carpenter
<Ascension Day	†Bricklesworth†	Charles Tunnacliff Dimont, B.D.>

[1] See note on previous page.

[2] *Combinatio.* The use of this term for a Rota of Preaching Turns lingered at Cambridge in the xixth century. The two annual *Combination Papers* appeared in the Cambridge University Calendars and on broad-sheets. The "First Combination Paper" contained a list of Preachers of Sunday morning University Sermons appointed by each College in turn according to the *Prior Combinatio*, and of the Preachers on Saints' days and Sunday afternoons, according to the *Posterior Combinatio* which followed the order of the names in the Registrary's Book. Forty years ago H. Annesley Woodham, who had taken the degree of LL.D. in 1849, and who was expert in academic lore, assured me that the Common Parlours of the Colleges at Cambridge owed their name "*Combination-Room*" to the fact that arrangements were made there for the *Combination Papers* of disputants, preachers, proctors, and taxors, etc., according to the "combination" or cycle of Colleges, or (in earlier times) an exclusive federation of a certain number of them, to which Magdalen, Emmanuel, and Sidney Sussex were not admitted until 1661; nor did Trinity Hall nominate any Preacher for Great St. Mary's pulpit. In 1663 a new cycle was ordered at Cambridge, to come into force in 1666. This was about the same date as the *Combinatio Concionatorum* at Salisbury.

Dominica 6â	Archidi*aconus* Wiltes	Ven. Eric James Bodington
Whitsunday	Dominus Decanus	Very Reverend William Page Roberts
Trinitatis Domcâ	Preb*endarius* de Shipton	Selwyn Blackett
Dom. jâ	Netherbury in Ec*clesiâ*	William Jacob
2	Grantham Austral	Edwin George Wyld
3	„ Boreal	Arthur Barugh Thynne
4	Chesinbury et Chute	Hon. Bertrand Pleydell Bouverie
5	Bedmister et Ratcliff	Ven. Thomas Boughton Buchanan
6	Grimston< et Yatminster>	Sidney Edmund Davies
7	Wilsford et Woodford	Edgar Nembhard Thwaites
8	Beamister ja	Edward Inman
9	Netherhaven	Hon. Sidney Meade
10	Beamister 2da	Right Reverend Frederic Wallis (Bishop)
11	Netherbury in Terrâ	Ven. Harry W. Carpenter
12	Bishopston	Douglas Macleane
13	Yatemister 1a	William Okes Parish
14	Lime Regis<et Halstock>	Montague Hankey
15	Comb et Harnham	Edward Russell Bernard
16	†Teinton Regis†	*hodie* Major Pars Altaris] Gordon Bolles Wickham
17	Alton Boreal	Charles Lloyd Sanctuary
18	Torleton	J. Colvile Morten Mansel-Pleydell
19	Yatemister 2da	G. Biscoe Oldfield
20	Chardestock	Eric James Bodington
21	Husborn et Burbage	John Marshall Collard
22	Uffcomb	Charles Leslie Dundas
23	Bitton	Charles Herbert Mayo
24	Preston	Dacres Olivier
(Saint *Paul*)	Mr. Subdean	Christopher Wordsworth
(Saint *Barnabas*)	Mr. Subchantor	Ernest Edward Dugmore
<Saint *Thomas*	The Vicars Choral>	Herbert Cromwell Bush, *&c.*

Si fortè plures quam 24 Dominicæ acciderint post SS. Trinitatem, Conciones incumbent Præbend*arijs* quorum vices omittebantur post Epiphaniam.

In Festis omnibus præter Nat*ivitatem* Dñi, Pascha et Pentecost*en*, quæ assignantur *Domi*no Decano, Conversionis *Sanc*ti Pauli, quæ [Festivitas assignatur] Sub-Decano, et [Festum] *Sanc*ti Barnabæ, quod Succentori affigitur per *Reverendum Patrem* Seth*um* Epi*scop*um, Conciones habendæ sunt *per* Cancellar*ium*.

[Column *b.*]	Adventus Dom*inica* ja	Præcentor	Ven. Harry W. Carpenter
	„ „ 2	Cancellarius	Edward Russell Bernard
	„ „ 3	Thesaurarius	George Hugh Bourne, D.C.L.

Adventus Dom*inica* 4	Archid*iaconus* †Berks†	*hodie* Dorset.] C. Leslie Dundas
In Natalibus D*omini*	D*ominus* Decanus	Very Rev. W. Page Roberts, D.D.
Dominica post Nat. D$\bar{n}$i	Archid*iaconus* Sarum	Ven. Harry W. Carpenter
,, 2da cum acciderit	Yatesbury	(*vacat*)
<In Festo Epiphaniæ	†*Stratford*†>	James Michael J. Fletcher
Dominica post Epiph. ja	Archid*iaconus* Wiltes	Eric James Bodington
,, ,, 2	Highworth	Francis Briggs Sowter
,, ,, 3	Winterborn Comitis	Frederick W. Macdonald
,, ,, 4	Durnford	Charles Myers

Si plures quam Quatuor Dominicæ acciderint post Epiphani*am*, conciones habendæ sunt per Præbend*arios* qui non concionabuntur post S*anctissimam* Trinitatem.

<Dominica Epiphaniæ 5 <Dominica Epiphaniæ 6	*Gillingham Minor*	Henry Ri. W. Farrer [*Canon in Residence*]>

Si pauciores quàm Quatuor Dominicæ acciderint post Epiphaniam, Dominicæ tunc omissæ supplebuntur per Præbendarios omittentes, in Dominicis post SS. Trinitatem supernumerarijs.

In Septuagesimâ	Slape	John David Morrice
,, Sexagesimâ	Alton Austral	Edward Wyndham Goodden
,, Quinquages*imâ*	Forthington et Wirthl*ington* §	Charles Adams Houghton § (*sic*)
,, Quadrages*imæ* jma	Teinton Regis	William Gardiner
,, ,, 2 (*alternatim*) *per vices*	†Gillingham minor et† Ruscomb [Southbury]	(*Formerly* Gillingham minor *and* Ruscombe took this Sunday *turn and turn about.*) Christopher Wordsworth
,, ,, 3	Gillingham major	Ernest Edward Dugmore
,, ,, 4	†Highworth†	Minor Pars Altaris] Francis Warre
,, ,, 5	Warmister	Edward Steward
Dom. Palmarum 6	Stratton	William Gildea
In Passione D*omini* alias Good Fryday	Ilfracomb	Charles Albert Bragge

In Festis in Dominicâ incidentibus, conciones habent Præbendarij, quibus assignantur Dominicæ.

In SS. Paschate ad Matutinas Collatio, quam vocant, habenda est in Choro per vices per *Dominum* Decanum et Canon: Resident*iarios*.[1]

In SS. Paschate, pro antiquâ Consuetudine, Resident*iarius* Junior concionatur ad [Ecclesiam] Sancti Thomæ, adsistitq*ue* Curato in celebratione SS. Communionis.[2]

* MS. *Constit.*, p. ii.

* In Solennioribus diebus
{V^to^ sc*ilicet* Novembris,
{Caroli Regis et Martyris [xxx^o^ Jan.; & xxix^o^ Maij,]
{Caroli Secundi Natalibus Reditúq*ue* auspicatissimo,

In Jejunijs etiam et Gratiarum Actionibus Supremâ autoritate mandatis, Concionandi munus incumbit D*omino* Decano et Residentiarijs per vices.

† "Conciones habent Residentiarij per vices": *Horton*, p. 76.

Præsentibus etiam D*omi*nis Judicibus, a meridie concionatur Residentiarius, † nisi fortè vice-Comitis Capellanus,[3] rogante vice-Comite, permittatur per Dec*anum* et Capit*ulum*.

‡ "Navi": *Horton*, p. 144; "Nave": *id.*, p. 76, *al. plur.*

In præsentiâ Regis, Peste Londini grassante, 1665, Conciones habuerunt matutinas Canonici Residentiarij: Vespertinas, Præbendarij quibus Dominicæ assignantur; Illj inter septa Altaris inferiora, Hi in nave ‡ Eccl*esiæ*.

§ Dignitarij, Archidiaconi, Præbendarij... (47 *names*)
Illisq*ue* inservientes Vicarij Chorales ... (6 *names*).

* * * * * *

§ MS. *Constit.*, p. iii. [On the List of Canons and their Vicars, *cir.* 1670.]

This list, which we do not print here, but which was evidently drawn up soon after the Restoration, or at all events *cir.* 1664–1679, shows how the old system of each Non-residentiary Prebendary appointing one of the community of Vicars (Priest, Deacon, or Subdeacon) to represent him in his absence had come through the gradual dwindling down of their number from 52 to 31 in the XIXth century, and after a time (from A.D. 1605 throughout the XVIIth century) to 13 (viz. six Priests and seven Laymen). The six Priest Vicars, *cir.* 1665, were Sylvester

[1] MS. *Horton*, p. 144, gives the plural form "Residentiarios" in full.

[2] MS. *Horton*, p. 144, reads "in Celebratione SS. Synaxeos Corporis Sanguinisque Dominici." (On St. Thomas's parish, see p. 512 *n.*)

[3] The High-Sheriff's Chaplain. This clause is not in *Horton*, p. 76 or p. 144.

Pope, Christopher London, Samuel Jekock or Jecocke (Vicar of South Newnton), "Mr. Hardicke," William Powell (Vicar of Britford), and John Hopkins (Vicar of Combe). Of these, Mr. Pope served as Vicar for seven Prebendaries (including the Dean as Prebendary of Heitesbury, the "Archidiaconus Bercorensis," the Sub-Dean, viz. Preb. R. Kent, etc.), while each of the remaining five Priest Vicars did duty ("*inserviebant*")[1] for no less than eight Canons or Dignitaries apiece. The Precentor and the Succentor are not stated to have held a prebend at the time when the list was made, but the former was one of the persons who were represented or "served" by Mr. London, as the Succentor was by Mr. Hopkins. Not many years later, in 1687, while five of the said six Vicars still held office (Mr. Hardwick being replaced by the Rev. C. Barnes, Curate of Laverstock), the six Vicars and seven Laymen used all of them as a rule to attend Morning and Evening Service, "save with leave on urgent occasions," making thus a fairly strong body of voices, "5 basses, 4 tenors and 4 contra-tenors" (MS. *Tanner*, 143, f. 178, cited in Jones' *Fasti*, p. 285). In the last century Dr. S. S. Wesley, Organist at Winchester Cathedral and Winchester College, expressed his conviction in 1849, and again in 1853, that a Cathedral choir cannot properly consist of less than twelve men singers. So also thought Bishop Hamilton, when Precentor, in 1853 (*Cath. Comm. Report*, pp. 687, 709). Succentor S. M. Lakin, in 1880, considered "twelve choristers and six efficient laymen (2 altos, 2 tenors and 2 basses) a minimum attendance for week days" (*App. to Report*, 1884, p. (26)).

cir. 1670.

1849.

On 14th September, 1880, Dean Boyle, on behalf of the Chapter, signed the answers to supplemental Questions,

1880.

[1] The same list of Canons and their Vicars, *cir.* 1665, but revised, *cir.* 1679, is entered on the last pages (pp. 145–6) of the *Collection of Accounts, Rents, and "Blew Book,"* made by Dr. Drake and given by F. Horton to Canon Walton. Its heading, however, differs from that in MS. *Constitutions* (see p. 506), for it names the Canons as being "Curâ Mr Pope (&c.) Vic. Choral," because the Vicar was responsible to the Chapter for forwarding to the non-resident Dignitary, Archdeacon or Prebendary, any official notices. A short copy of the list occurs earlier in Horton's book, p. 67.

A.D. 1888. addressed by the *Cathedral Establishment Commission*, respecting the number and distribution of services. *Report* (for Salisbury), 1884, p. (19), including the Table of *Preaching Turns at the Cathedral.* Subsequently, *i.e.* after the Visitation by Bishop Wordsworth in 1888, the subjoined Supplementary List of Preachers was issued:—

PREACHERS ON OTHER HOLY DAYS.

St. Andrew	Sermon on Missions. Preacher appointed by The Chapter.
St. John, Evangelist ...	Chancellor.
Circumcision	The Dean.
Purification	Ditto.
St. Matthias	Canon in Residence.
Annunciation	The Dean.
St. Mark	Canon in Residence.
SS. Philip and James ...	A Vicar Choral.
St. John Baptist	A Canon Residentiary.
St. Peter	Canon in Residence.
St. James	Ditto.
St. Bartholomew	Ditto.
St. Matthew	A Vicar Choral.
St. Michael	Principal of Theological College, if a Canon.
St. Luke	A Vicar Choral.
SS. Simon and Jude ...	Canon in Residence.
All Saints	Ditto.

When a Holy Day falls on a day when a special Sermon is provided as, *e.g.*, during Lent, the Sermon for the Holy Day shall be omitted.

When a Holy Day falls on a Sunday, the Preacher appointed for the Sunday takes precedence of the Preacher for the Holy Day.

Originally the duties of the Chancellor included the delivery of Divinity Lectures; these were discontinued in 1605, and Sermons on Holy Days substituted for them. By a resolution of the Chapter passed on the 6th of November, 1894, it was decided to return to the old arrangement, and it was agreed that in future the Chancellor shall yearly deliver not less than two courses of Divinity Lectures in the Cathedral.

In order to provide a preaching turn for the three previously silenced prebendaries who held the stalls

formerly endowed with the Major and Minor portions of the Altar Oblations, and the Prebend of Stratford sub Castle, respectively, Bishop Walter Kerr Hamilton, with advice from the Dean and Chapter, revised the List in 1865. A.D. 1865.

BISHOP HAMILTON'S REVISED LIST (1865).

An authoritative copy of his ordinance is still exhibited in the "Lower Treasury" or Canons' Vestry. It is therein described as—

"Salisbury Cathedral.

"A LIST of the *Preachers* showing the *Sundays* or *Holydays* allotted to them as the *Sunday* or *Holyday* whereon they should respectively in turn *Preach* in the *Cathedral Church* of the *Blessed Virgin Mary* of *Sarum*, in pursuance of a *Decree* by and under the *Seal* of the *Dean* and *Chapter* of the said Cathedral Church, bearing date the 31st day of July, A.D. 1865, and confirmed by and under the hand and Episcopal seal of *The Right Reverend Walter Kerr, Lord Bishop* of *Sarum*, as *Visitor* of the said Cathedral Church, the 12th day of August, A.D. 1865.

Advent Sunday	The Precentor—Francis Lear.
etc., etc., etc. (ending thus)—	
Twenty-third S. after Trinity ...	Bitton—Edward Arthur Dayman.
Twenty-fourth S. after Trinity ...	Preston—Edward Bouverie.
Conversion of Saint Paul ...	The Sub-Dean—Daniel James Eyre.
Saint Barnabas	The Succentor—John Daubeny.
Saint Thomas	The Vicars Choral.
All other Holy Days	The Chancellor—Edward Paroissien Eddrup.

"N.B.—It is by the before-mentioned Decree provided that so far as the alterations in the foregoing List affect the Prebendaries of the Prebends of Major Pars Altaris, Minor Pars Altaris, Stratford, Gillingham Minor, and Ruscombe, the same should not take effect during the Incumbencies of the then holders of such Prebends respectively, save and except with their assent and consent respectively."[1]

[1] The persons mentioned as the then incumbents of the prebendal stalls and canonries affected by the changes introduced into the *rota* of

Bishop Seth Ward's Notes concerning the Preaching Turns, *cir.* 1670.

Bishop Seth Ward entered on a page of his *Notitia*, part ii. p. 21 (= pp. 141–2 of the xixth-century transcript, MS. 190), a form of the *Combinatio* almost entirely in English, and with its brief notes also in English. He calls it "*A Catalogue of the Preachers and their Turnes in the Cathedrall at Sarum.*"

The names of the then Prebendaries were entered presumably in 1670, at the time when the stall of "Beamister secunda" was vacant by the decease of W. Hobbes, R. of Sherrington, and we find the name of his successor, Jos. Sayer, entered by the Bishop with the date "May 20 (or ? 26) [16]70." No provision is here made for a second Sunday after Christmas, nor are the regulations of 1668 or 1675 (of which we shall speak presently) entered here, though they are recorded, as we shall see, at the bottom of an earlier page of the *Notitia*, in what is (possibly) a subsequent insertion. Bishop Ward's English notes on p. 21 in his *Notitia* are fewer and more concise than the various Latin ones in those MSS. which were written by Canons probably after the Bishop's primary visitation. His notes arte these:—

"NB.—Public dayes by D[ean and] C[hapter] in course. Holy dayes by Chancellor.

"NB.—If there be more Sundays after Trinity" [than the 24

Preaching Turns by the ordinance of 31st July and 12th August, 1865, were the following:—

Canon Incumbent.	Prebendary here.	Stall.	Preaching Turn.
H. Parry Liddon, D.D.	1864–1870	Major Pars Altaris	xvith S. after Trinity
Charles Grove	1828–1868	Minor Pars Altaris	ivth S. in Lent
William Short	1834–1878	Stratford	The Epiphany
Richard Waldy	1849–1869	Gillingham Minor	vth S. after Epiphany
Richard Crawley	1843–1870	*olim* Axford; *and* Ruscombe	iind S. in Lent

Dr. Liddon, who ceded his stall here on his appointment to a Canonry of St. Paul's, London, and Mr. Crawley, had been installed subsequently to the disendowment under the Cathedral Act of 1840. The two others named had a vested interest in their *præbendis exilioribus.*

The Archdeaconry of Berks was severed from this diocese and assigned to that of Oxford in 1836.

Teinton Regis (King's Teynton with Yalmeton and Preston, Devon) was formerly a rich prebend, and had had *two* Preaching Turns assigned to it, *circa* 1665 to 1865, when it fell vacant. It had been disendowed, on a previous vacancy, in 1841.

Stratford St. Lawrence *juxta Sarum* (*Vetus*) was one of those antient prebends which, having slender revenues, had had no Preaching Turns assigned to them before 1865. Now that the prebends (with two slight exceptions) and the dignities and offices, generally speaking, are disendowed, no such inequality as to the *onera sive honores contionandi vel praedicandi* remains to occasion any heart-burnings among us.

provided in the *rota*] "(there being fewer after Epiphany) some of those that should have had their turns after Epiphany, but had not, transfer their turns to the end of Sunday[s after Trin.]." A.D. 1670.

The *rota* apparently makes no provision for the Fifth Sunday in Lent. (This turn is assigned to Warminster, *e.g.* "*A List* of the *Dignities* and *Prebends* of the *Cathedral Church of Sarum*, With the Order of the Days of Preaching annexed to each, and the reserved *Annual Revenues* of the *Estates*, appropriated to them respectively," appended to F. Price's *Description of that Admirable Structure the Cathedral*, ed. 4to, 1774. This concludes on p. 144 with these *Rules, Orders*, etc.:—

[1] "*Rules* for ascertaining the *Moveable Preaching Turns* after the *Epiphany* and *Trinity*.—If there be fewer than 4 *Sundays* after the *Epiphany*, the preachers appointed for those *Sundays* which are omitted shall take their turns on the *Sundays* that will then be (always) above 24 after *Trinity*. And if there be more than 4 *Sundays* after the *Epiphany* (in which case there will be, most commonly, fewer than 24 after *Trinity*), the preachers for the *Sundays* omitted after *Trinity* shall take their turns on the overplus *Sundays* after the *Epiphany*.

[2] "The *Order* for the *Chapter Turns*.—But if it fall out that there is an increase of one, without any diminution of the other (as when there are 5 *Sundays* after the *Epiphany* and the full 24 after *Trinity*), or if the overplus *Sundays* in one exceed the number omitted in the other (as when there are 2 after the *Epiphany* and 27 after *Trinity*), in these and other like cases the *Sunday* extraordinary is a Chapter turn: as are also *Easter-day* in the morning, the Assize-*Sunday* in the afternoon, if the Sheriff does not provide a preacher, and all public days, except when any such falls on a day for which a preacher is appointed of course on the list.

[3] "The *Order* for *Holidays*.—All Holidays in the year belong to the Chancellor of the Church, except *Good Friday* [Ilfracomb Prebend's], St. *Paul* [Mr. Subdean's Turn], St. Barnabas [Mr. Subchantor's], and the *Epiphany*, as often as it happens to be the Second *Sunday* after *Christmas* [when it is the Prebend of Yatesbury's Turn]."

(The Bishoprick has no preaching turn,[1] neither have the Deanery Chancellorship nor Treasurership *in respect of their annexed Prebends* of Potterne, Heytesbury, Bricklesworth, or Calne: *ibid.*, p. 143.)

We find among the XVIIth-century collections of Customs preserved by Canons Horton (1674–97) and Walton (1678–1719) and Chancellor Drake (Canon Residentiary, 1661-81, Communar in 1668–9) four copies of a *Combinatio Concionatorum* or *rota* of Preaching Turns, which is practically identical with that which we have printed on pp. 503–5 above, from the MS. *Constitutiones*, so far as the *list* of turns is concerned. The Latin *rules*, however, relating to the latter Sundays after Epiphany and after Trinity, etc., etc., are expressed in different terms,

[1] A member of Bishop Moberly's family wrote in 1869, "The Dean [Dr. H. Parr Hamilton] is an invalid, so his preaching turns in the Cathedral, at Christmas, Easter and Whitsuntide, generally fall to the Bishop" (*Dulce Domum*, p. 222).

although the general tenour of them is the same as that of the corresponding notes as printed on pp. 504–6. As some of these variations are not without interest, and as the notes themselves supply a few dates which are wanting in the set of rules which appears in the MS. *Constitutiones*, we will give here an English translation of the Latin notes found in the XVIIth-century collections of customs, etc. It may be assumed that this text of these notes or rules about the preaching turns was the work of Chancellor Drake, whose Collection of Accounts and Customs in the "*Liber olim Blew*,"[1] p. 107, has the appearance of being somewhat the earliest of these XVIIth-century copies.

"Regulations as to Preaching Turns as stated in the Canons' *Collectanea*, *cir.* 1670.[2]

"In case there shall happen to be more than ('*vltra*') four and twenty Sundays after the Most Holy Trinity, the Sermons fall as a duty upon the Prebendaries whose turns ('*vices*') were omitted after the Epiphany of our Lord.

"In case there happen to be more ('*plures*') than four [Sundays] after Epiphany, the Sermons shall fall as a duty upon the Prebendaries, whose turns will be omitted after the Most Holy Trinity.

"If there be fewer [than four Sundays after Epiphany, then Sermons] omitted after Epiphany are to be supplied after the Most Holy Trinity by the Prebendaries omitting [their turn after Epiphany].

"But if there shall be more Sundays after Epiphany than [the number of] those to be omitted after the Most Holy Trinity [in the same year, then] they [*i.e.* the overplus of Sermons] shall be supplied by the Canon in Residence.

"At the Most Holy [Feast of] Easter, by an antient custom, the Junior Residentiary preaches at St. Thomas's, and assists the Curate in administering the Sacrament of the Body and Blood of the Lord.[3]

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[1] *Liber olim Blew.* See next note.

[2] Translated from the Latin rules in the form in which they occur in the *Combinatio Concionatorum* as it is entered in the following late XVIIth-century MSS. Chancellor Drake's *Liber olim Blew*, p. 107; Is. Walton's *Collections*, f. 5; *F. Horton's Book* of Drake's *Collections from Accounts, Rents, and Blew Book*, pp. "55–6" (really 75–76: Horton's Book contains further a different text of *Combinatio* rules, at pp. 143–4); the *tall*, or narrow, *Blue Book*, p. 42, col. *b*, which appears to have been transcribed from p. 38 of a *Liber Blew*, now missing.

[3] *The parochial chapel and church of St. Thomas.* St. Thomas of Canterbury was murdered 29th December, 1170, and was canonized 24th February, 1173. When arrangements and preparations were being made for six (or more) altars in the Church of Salisbury, *circ.* 1219–22, the Treasurer, Abraham de Winton, handed over its quota of ornaments for the Chapel of St. Thomas (*Salisbury Processions*, pp. 181–2). Not many years later—and before the western portion of the Cathedral was completed—we find mention of a *Chapel* of St. Thomas in Salisbury having its own *Rector*, who (16th August, 1238) witnessed a deed for Elias de Derham, our Canon and Architect, who is credited with having

"For the Conversion of St. Paul, the turn of preaching has been assigned to the Subdean by the Reverend Father Seth, Bishop, in the year 1668.

"For the Feast of St. Barnabas [the turn has been assigned] to the Succentor by the same Reverend Father, in the year 1675.

"On the more Solemn days, *i.e.* November the Fifth, January the Thirtieth, Charles King and Martyr's [day], and on the Twenty-ninth of May the Birth and happy ('*fœlic.*') Return of Charles the Second,—

"On fasting-days also, and on Thanksgivings commanded by supreme authority, and when my Lords the Judges are present, the Residentiaries take the Sermons by turns.

"In the Presence of our lord the King, in 1665,[1] when the Plague of London was prevailing ('*grassante*'), the Canons Residentiary took the morning sermons, and the Prebendaries to whom the Sundays are assigned took the evening ones,—the latter, within the lower enclosure of the altar,—the former, in the nave of the church."

The date (1675) assigned to one of the foregoing notes proves that

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assisted in the design for the famous shrine of St. Thomas at Canterbury. About ten years later (18th March, 1247–8) we find that St. Thomas's is styled a Church, and has Rob. de Beauver, one of the Canons, for its Rector. Its parishioners were allowed, if they chose, to be buried in the cemetery of the "greater" (Cathedral) Church. (They had also a parochial churchyard at the same period, as appears from a deed of August, 1247, Muniments, Press IV. Box C. 6, *Hist. MSS.*, i. (1901), p. 370.) The foundation of the Collegiate Church of St. Edmund, Abp. Conf., by Bishop Walter de la Wyle, occasioned (17th February, 1268–9) the rectification of the parochial boundaries of St. Nicholas' Hospital, St. Edmund's, St. Martin's, and St. Thomas's (where the Succentor, J. de Middleton, was at that time Rector), and the Canons' Close with Stratford-sub-Castle Church and its belongings (*Sar. Charters*, pp. 246–8, 315–6, 346–9). The Church of St. Thomas was appropriated to the Dean and Chapter by the Bishop (Ri. Metford), who had held the patronage, with the consent of King Henry IV. and Pope Boniface IX., 1st December, 1401.

Accounts of the *procurator* or Warden of St. Thomas's, ranging from the latter part of the XVth to the XVIIth century, are preserved in our muniment-room, Press IV. Box "Procuratoria." Mr. Francis Horton, Prebendary, was admitted Curate of St. Thomas's, *c.* 1670. Dr. Poole has given a curious specimen of the contributions made by the Dean and Chapter to the parishioners for buns, cakes and ale, comfits, draget or sugar biscuits, malmesey, red wine, claret and Runney, at Whitsuntide (frekefryday) from the Fabrick Accounts of 1507–8 (*Hist. MSS.*, 1901, i. pp. 352–3). In the latter half of the XVIth century the parishioners rented the parsonage from the Dean and Chapter (*Churchwardens' Accounts* (1896), pp. 281, 282, etc.).

[1] In the *Computus* of the Master of the Fabrick for 1665 there were payments connected with the visit of King Charles II.

"Sept.—Ringers, when ye K[ing] desired to heare ye Bells, 11*s.*—when ye K. and Q. came, £2—when ye K. and Q. went hence, 9*s.*"—Drake's *Collections*, p. 91.

the order of preaching issued in connexion with Bishop Seth Ward's primary visitation of the Cathedral Body in 1671–2, was revised on a subsequent occasion in the early part of his episcopate, which extended from 1667 to 1689. He had previously made an order (in 1668) to assign a turn to the Sub-dean (Richard Kent succeeding Robert Tutt, a deprived Non-juror, in that year).[1] In 1665 Bishop Ward's predecessor (presumably J. Earles, rather than his immediate predecessor Alexander Hyde, who succeeded on New Year's Eve in that year) had already assigned a preaching turn to the Succentor, who at that date was John Stephens. The next Succentor, W. West, who came ten years later, was required on admission (as his successors have done) to undertake to preach on the day prescribed.[2] Bishop Humphrey Henchman, who preceded Bishop Earles in 1660–63, had in 1661 set himself to revise the system of the Canons and Dignitaries' preaching turns after the Restoration of Church and King (p. 430, *supra*). Some such *rota* had been in existence a century earlier, for it is recorded in the *Holt* Register (. . . 1555), f. 44 (cited above on pp. 386-7, *n.*), that a *Tabula de Concionibus* was to hang in the choir. Possibly the custom here, when each stall had its back panel and canopy, was similar to that which still prevails in Lincoln Cathedral choir. A tablet (somewhat like that which is set up in our Canons' vestry and is inscribed with a copy of the *Rota*) is suspended conspicuously, in Lincoln choir, on the Saturday and for the ensuing week in which a Canon's Sunday preaching turn occurs, above the seat of the stall assigned to him; an arrangement which has obvious advantages in a choir where the stalls have backs of sufficient height, as ours formerly had, and once again are acquiring, to give room for such a *tabula* as well as for the more permanent legible title of each stall along with the Psalms (if any) which are statutably assigned to its occupant.

Bishop Ward, after the Restoration, did not himself initiate the plan of hanging up a *rota* or *tabula* of Preaching Turns at Salisbury. A *tabula de concionibus* may have been instituted in the reign of Edward VI., but in our records we first read of it as suspended in the choir in the time of his successors Philip and Mary, 8th April, 1555, when it wās decreed (Bishop Capon being present at the Chapter) that those Canons who did not observe its regulations should forfeit 10*s.* to the Fabrick fund for such neglect (Registr. *Holt*, p. 44). When Bishop Jewel came, he heard a complaint that T. Myntern's prebend, Yet-

[1] Seth Ward duly entered Sub-dean Ri. Kent's promise thus :—"Octob. 26, 1668. I Richard Kent being admitted to the Subdeanry of Sarum doe promise to preach in the Cathedral of Sarum upon the Feast day of St. Paul (not falling on Sunday), or provide some one to preach on that day. *ut supra.* every year, until it be otherwise ordered. —Richard*us* Kent." (*Notitia*, part ii. p. 14 = p. 127, MS. 190.)

[2] Bishop Seth Ward has entered Succentor West's promise, in English, which is in form similar to the Sub-dean's, given in the previous note:—"Dec. 20th, 1675. I Will*m* West being admitted to the Subchantership . . . Feast day of St. Barnabas (not falling on Sunday) or provide . . . untill it be otherwise ordered.—Will'. West." (*Notitia*, ii. p. 14 = p. 128, MS. 190.)

minster Prima, had no preaching turn assigned to it. This omission was presumably rectified, and the order was renewed that there should be an "*Ordo concionum in tabulis scribendus et in choro affigendus.*" The Pentecostal Chapter's *Decretum de Concionibus habendis* (printed on p. 386, *supra*), 5th June, 1560, § E, was also recorded in the Chapter Acts (*Holt*, pp. 60, 62). Each stall at that time had some emoluments attached to it, and those Canons whose prebends were valued at above £10 in the King's Books were required to preach once a year in the Cathedral (or twice if the taxation estimate was between £40 and £60), subject to the mulct for neglect, as already mentioned. When such a fine was due, the Vicar-choral of the absent Canon had to send notice thereof to his "lord."

In 1581 citations again were issued (Reg. *Blacker*, p. 95), and not long afterwards the *Decretum quoad conciones* was confirmed (*id.*, p. 125).

In 1621 Fred. Vaughan, Preb. of Durnford, was cited for neglecting his preaching turn, the citation being affixed to his stall (so that his Vicar should send him information), and he was fined £5. Lionel Sharpe, Archdeacon of Berks, with others, was excommunicated for non-payment of the like fine (Reg. *Shuter*, ff. 1^{b}, 2, 3^{b}). Not long afterwards proceedings were taken against Ro. Pinkney, Preb. of Beaminster Prima, and Dr. J. Mosely, Preb. of Wivelesford, for the like neglect (*u.s.*, f. 18).

In 1631 a fresh decree *De Concionibus* required that if a substitute was to be appointed to take the Canon's sermon, the preacher himself must be a Canon; 15 days' notice or request must be sent, and that in very humble terms. The fine of £5 for neglect was reaffirmed (*id.*, f. 32).

We have spoken already of the action of Bishop Ward after the Restoration, and we need only add that in the XVIIIth century notices were sent to Mr. T. Broughton (Preb. of Bedminster and Redcliffe, 1744–75) in 1752–53, and to Mr. W. Talbot (Preb. of Netherbury in terra and Chancellor) in 1787, that fines for omitting to preach had been already more than once incurred by them. Bishop Hamilton has noted that an order was made about preaching in the year 1689 at a meeting of the Dean and Residentiaries at which the Bishop was present. (Reg. *Frome*, F, p. 161.)

Personal Performance of Liturgical Offices by Canons.

Not only the order of preaching, but the due performance of the Liturgy and Divine Office received the attention of the ecclesiastical superiors of the Church after the Restoration.

The Primate's Letter in 1670 is styled "*De Sacris personaliter per Canonicos præstandis*," and "*De precibus in Ecclesiis Cathedralibus cantandis et Sacro-Sanctâ Eucharistiâ celebrandâ*," in the subsequent Chapter Act copied in

Walton's folio *Collection*, f. 27[b]. It runs as follows on f. 27 :—

CIRCULAR LETTER from Abp. SHELDON to Bp. SETH WARD (and others), concerning READING and ADMINISTRATION of SERVICE in the CATHEDRAL CHURCH (4 June, 1670).

'Literæ RR. Æpī Cant. de Sacris peragendis.

(Lect. Jun : 7 : 1670.)

* MS. *H.* f. 131.

* Right Reverend and my very good Lord,

I HAUE thought this a fitt time to giue your Lordshi*p*, And all the rest of my Brethren [the Bishops] of my Province notice of some things which with in some of our owne Cathedralls, and in the Service of God there, are not soe orderly performed [there] as they ought to be. Our Cathedralls are the Standard and rule to all parochial Churches of the Solemnity and decent Manner of reading the Liturgye and Administring the Holy Sacrame*n*ts. And certainly there is none in those places, whome it bette*r* becomes to shew a good Example then they [1] who haue the Chiefe p*re*ferme*n*ts within those Cathedralls, That is the Deane,[2] Canons, Præbendaryes and othe*r* Dignitaryes within [3] the same. But with some trouble I must needs tell you I haue from many places heard, that the Duties of reading the Church Service and "Administring the Holy Com(m)union haue [4] been too much neglected by those Dignified Persons, and as if it were an office below them, left for the most part to be p*er*formed by their Vicars or petty Cannons," to the offence of some of o*ur* friends, the advantage of Sectaryes, and y[r] owne just Reproach.

Vpon this, my Lord, my Advice is and I doe hereby desire yor Lordshi*p* that you will call before you the Deane [and] Canons or Præbends [5] of yor Cathedrall Church,[6] or as many as Conveniently you can gett

[1] than they: *Wa.*; than those: *Cardw.*
[2] Deans: *Wa.*
[3] of: *Wa.*
[4] hath: *Wa.*
[5] Prebends: *Wa.*; prebendaries; *Cardw.*
[6] churches: *Cardw.*

together, and haueing imparted this my Letter vnto them, That yor Lord*ship* will as well in myne as your owne name Counsell and perswade, or otherwise require them, That they take Care as much as may be, "that Divine Service and Administring the Holy Communion be Celebrated by one of themselves, at least every Sunday and Holy-day in the yeare," And that they order their Residence [1] and Attendance on the Church soe as (if possible) one of them in Person may officiate as is before desired: This I am assured wilbe very agreeable to his Maj*es*tie's good pleasure, Conducible to the Honour of God Service,[2] and their owne Esteeme and Reputation. And soe expecting from yor Lo^{r}p and them an acc*ompt* of what is done herevpon, as soon as Conveniently it may be, at least w*ith*in three moneths after the Date hereof, I bid yor Lor^{p} heartily Farewell, and am 4–7 June, 1670.

My Lord,
Yo^{r} Lo^{r}ps very affectionate
friend and Brother,
GILB^{T}: CANT.

Lambeth-house,
June 4th, 1670.
For the Right Revnd: Father in God
my very good Lord and Broth^{r}
Seth Lord Bishop of Sarum,
At Salisbury.

Abp. Sheldon's letter was printed from Tanner MS., vol. cclxxxii. p. 102, by Cardwell, in *Doc. Annals,* ii. pp. 280, 281 (ed. 1839).[3] He notes that there is also another copy at p. 106 of the same (MS.) volume, and that it might be found also in the Chapter-book at Ely. We append the reply to the Dean and Canons from our local MS. H.

[1] At his Visitation of the Cathedral, soon after this, Bishop Seth Ward issued the Regulation of 1672 for three months' Residence of the Dean and of each of the three other *Personæ Majores.* (See p. 446, *supra.*) That Regulation was altered under the Act of 1840 by the Statute or Ordinance for our Cathedral, 2nd January, 1851. (See p. 460.)

[2] Gods Service: *Wa*; God's service: *Cardw.*

[3] Cardwell's first copy was one sent to St. Asaph. *Doc. Ann.*, ii. p. 276 (ed. 1839) = ii. p. 331 (ed. 1844).

Reply from the Dean and Canons (11 June, 1670).

† MS. *H* f. 131b. Walton's *Collections*, f. 27b.

† To the Rt Reverend Father in God
Seth Lord Bishop of Sarum,
our very good Lord.

Right Reverend and our very good Lord,

HAUING duly considered ye Tenor of His Grace's Letter which yor Lo*rdshi*p communicated to vs from the Most Revnd Father in God The Lord Arch Bp of Canterbury[1] (whereby we are required at least vpon Sundayes and othr Festivalls personally to Officiate in the Administration of the Holy Co*m*munion and Reading Divine Service), We have thought it Our Duty, w*i*th an Humble Acknowledgm*en*t of His Graces Care and vigilance for the Wellfare of the Church, hereby to Declare Our Chearful and ready Obedience to His Lrps Co*m*mands in that behalfe, Humbly beseeching yor Lrp to Signifie vnto His Grace that We haue allreadie begun that Duty here, and shall Endeavour to Settle it in Such Maner, as we Judge may be most Conducible to the Honor[2] and Decency of God's Service, and the Dignity of this Church, according to His Grace's Expresse Co*m*mand and Yor Lrp's Advice and Direction therevpon. This in all Duty to yor Lrp[3] begging Yor Paternall Blessing, and praying a Continuance of health and hapinesse to yor Lrp,[4] We haue Giuen vndr Our hands [and][5] in Our Chapter-house at Sarum; June 11th, 1670. [6]And Subscribe our Selves,

Our very good Lord,
Yor Lr*dshi*ps Most dutifull Sons
and humble Servts,
Ralph Brideoake, D : S :
Rich : Drake, Cancell*arius*,
John Priaulx,
Richd Clayton,
Thos Hill,
Thos Lambert.[7]

[1] Canterbury his Grace: *Wa.*
[2] Honour: *Wa.*
[3–4] Walton *omits.*
[5–7] Wa. *omits.*

The Dean and Canons having thus written in dutiful terms to the Primate and to the Bishop on 11th June, on 17th August the Chapter Clerk, J. Greenhill, records in Latin their Decree for themselves and their successors—Mr. Dean, the Dignitaries, Canons Residentiary, Sub-dean and Succentor of the Cathedral—that they will personally perform the sacred offices of Divine Service and the Eucharist, and be responsible for them according to the following Cycle drawn up with respect to Residence.

Cycle and Method "*de Divinis Peragendis*," for singing Prayers and for the Most Holy Eucharist, to take effect from Michaelmas, 1670.[1]

[1] This *Cyclus Methodusque de Divinis peragendis*, which may be found in full, in its Latin form, in Canon Isaac Walton's *Collection*, f. 27b, is presumably the written authority for the custom still in vogue whereby the *Canon in Residence* is responsible for appointing the principal celebrants and assistants at the altar, and selecting (where possible) "some of themselves," *i.e.* of the Canons.

CYCLE OF CANONS PERSONALLY TO DO THE SERVICES. 1670.

Quarter.	Months.	No. of Sundays.	To whom assigned.
II.	Jan., Feb., & March	v.	Dr. Pria(u)lx.
		v.	Dr. Henchman.
		iii.	Sub Dean (Ri. Kent).
III.	Apr., May, & June	v.	Dr. Drake, Chancellor.
		v.	Dr. Clayton (Master of Coll. Univ.).
		iii.	Mr. Dean, viz.: Easter, Whit-Sunday, SS. Trinity.
IV.	July, Aug., & Sept.	iii.	Mr. Dean (Ra. Brideoak).
		v.	("Mr. Hill," *altered to*) Precentor (J. South).
		v.	Treasurer (E. Davenant, *ætat.* 74).
I.	Oct., Nov., & Dec.	i.	Mr. Dean, viz.: Dedic^{n} of Cath^{l}.
		v.	Mr. Hill (T. Hill, Preb. of Bitton).
		v.	Dr. Lambert.
		ii.	Succentor (J. Stephens).

(Signed) Ralph Brideoak, Dean.
Ric. Drake, Chancellor.
J. Priaulx.
T. Hill.
T. Lambert.

Distribution on Feasts of IV. Dignitaries (*cir.* 1670).

As to the *Feasts of the Four Dignitaries* enumerated on page 395, we learn from Dr. Drake's memorandum, in Canon Walton's *Collections*, f. 5[b], that in the seventeenth century the money payment for which each *Festum* was commuted was 7*s.* for each of the 16 days, and that on each occasion it was thus distributed:

Assistenti[1]	6*d.*	Altaristis. [6.] (singulis 3*d.*)	1*s.* 6*d.*
Evangelium Legenti	6*d.*	Choristis. 7. (cuilibet 2*d.*)	1*s.* 2*d.*
Epistolam Legenti	5*d.*	Aquæ bajulis olim dictis, nunc anglicè The Sextons of the Vestry and the Belfry. ana[2] 2½*d.*	5*d.*
Sub-Thesaurario	5*d.*	Sub Janitori	2½*d.*
Virgifero uni	4*d.*	Clerico ad preces Matutinas	3*d*
Virgifero alteri	4*d.*	Subcommunario, quod restat	3½*d.*
[Janitori	4*d.*]		
Bedello	4*d.*		

Chancellor Drake found this list of distributions on "Dean's Days,"[3] etc., in an 8vo book in parchment (possibly "*Mr. Holmys Book*," *cir.* 1526), as well as in a MS. book belonging to [W.] Barfoot, late verger and Clerk of the Works of the Fabrick. There is another copy in Canon Horton's *Collections*, p. 80 (= p. 60 in old pagination). From this we are able to insert the payment of 4*d.* to the *Porter*. This was needed to make the total of 7*s.* correct.

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[1] "Assistenti, puto Succentori" *Ri. Drake.* (This was an inference from a comparison of the above with a list of fees paid by a Prebendary at installation.)

[2] *ana* (ἀνὰ) = apiece.

[3] The Dean's Feasting Days were (*a*) Christmas Day, Easter Day, and Whitsunday: those of the Precentor, the Chancellor, and the Treasurer were, respectively, the 2nd, the 3rd, and the 4th days of those same three principal Octaves. In the XVIth, XVIIth, and following centuries, the Dean's responsibility in this matter extended, in addition, to (*b*) Epiphany, Ascension Day, the Assumption (Aug. 15th being the Feast of the Title of the Church), and the Feast of the Dedication of the Church, which, since the Ordinance of 1536, had been transferred by authority to the first Sunday in October (Wilkins, *Concilia*, iii. p. 823).

Note on the Cathedral, viewed as a model.—Archbishop Sheldon writes (p. 516) that "our Cathedralls are the Standard and rule to all parochial Churches of the Solemnity and decent Manner of reading the Liturgye and Administring the Holy Sacraments."

On January 22nd, 1560-61, Queen Elizabeth—when writing to Archbishop Parker, Edm. Grindal (Bishop of London) Bill and Haddon, respecting the new kalendar or table of lessons, the comely setting up of the tables of the Commandments at the east end of the chancel and the better care of Churches, and prayers to be said in Latin in Colleges—required those her Commissioners to see that "the order and reformation be of one sorte and fashion . . . specially that in all collegiate and cathedral churches, where cost may more probablie be allowed, one manner be used; and in all parish churches also, either the same, or, at the least, the like, and one manner throughout our realme" (Cardwell, *D. A.*, i. p. 297, ed. 1844). The Ordinaries placed the Holy Table at St. Gregory's, London, in 1633, "in such manner as it standeth in the said cathedral, and mother church" of St. Paul, etc. (*id.*, ii. p. 238). "The Cathedral Church is the Parish Church of the whole Diocese (which Diocese was therefore commonly called *Parochia* in ancient times), till the application of this Name to the lesser Branches into which it was divided, made it, for distinction's sake, to be called *only* by the name of Diocese" (Gibson, *Codex*, p. 171). "As the Bishop was the Centre of Unity, for the purpose of diffusing grace to all, and of joining all together and of presenting" Presbyters and People "unitedly to God, so the Cathedral was the common Mother Church of the whole Diocese" (Dr. Chr. Wordsworth, Bishop of Lincoln, *Theophilus Anglicanus*, Part I. ch. 15, p. 130, *n.* [3], ed. 1865). Cf. *Essays on Cathedrals by Various Writers*, (ed. J. S. Howson), 1872, pp. 66, 80, 82, 181.

List of Organists—*continued from* p. 455.

Cir. 1698. Anthony Walkeley, from Wells.
(1710. Organ built by René Harris.)
1718. Edward Thompson, from Magdalen College, Oxford.
1746. Joseph Boyter played the organ, *vacante officio*.
1746. Oct. 8th. John Stephens (Mus.D., Cantab., 1763), from Gloucester.
1781. Robert Parry.
1792. July 1st. Joseph Corfe. Born at Salisbury, 1740. Gentleman of the Chapels Royal. Resigned the organist's place, 1804; died, 1820.
1804. Arthur Thomas Corfe, third son of the preceding; born in 1773; Chorister at Westminster Abbey; died on his knees at home, with the Psalms of the day open before him, 28th January, 1863.
1863. John Elliott Richardson.
1881. Bertram Luard Selby.
1883. June. Charles Frederick South.

We are indebted to Mr. South, the present Organist, for assistance in making this list. Further information as to the Cathedral Organists from 1598 to the present day will be found in *Cathedral Organists, Past and Present*, by John E. West, F.R.C.O., etc., etc. (Novello), 1899, pp. 78–80.

CORRIGENDA

On p. 47, *n.*, *for* "pilestum" *read* "pileolum."
70, li. 17–18, } *read* "Ingaudeby" (spelt elsewhere "Yn-
71, col. 2, li. 10, } godeby" or "Ingoldeby").
71, col. 1, li. 14, *for* "Statesburn," *read* "Ebelesburn."
98, li. 19, *for* "prescriptos" *read* "prescriptas."
100, li. 17, ,, "grue" ,, "graue."
141, li. 9, *for* "Chapter aforesaid, to whose lot it shall fall to be endued with any authority whatsoever in respect of a canonry," *read* "Chapter aforesaid), that he whose fortune is to have—by the authority of whomsoever it may be—the provision of a canonry."
240, *n.*, *for* "Cornan" *read* "Coman."
259 (text), penult., *for* "aften" *read* "often."
271, li. 5, *for* "fastiously," *read* "factiously."
292, li. 22, *for* "competeros" *read* "competens."
388, li. 9, *for* "proes" *read* "pro eo."
391, *margin*, *for* "optises" *read* "optiones."
391, *n.*, *read* "new glased at bottome . . . *Joh'is Jewell Ep'i*, 1569." [Ri. Symonds's *Diary*, 16–17 October, 1644.]
395, *n.*, *remove* comma *after the word* "post" *wherever it occurs*.
406, li. 25, *for* "ornandum" *read* "? ordinandum."
419, li. 1, *for* "Anunciation" *read* "Annunciation."
441, *n.*, *for* "Statate" *read* "Statute."

I.—GENERAL INDEX.

*** We have thought it superfluous to include the names of many of the Dignitaries and Canons who appear as witnesses, etc., to the Statutes, as they have been indexed already in Canon Jones's *Fasti*, 1879–1881.

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* On p. 197, Elias de Derham has been described as of Gloucestershire extraction. After reading Mr. W. D. Bushell's monograph (1906) on our canon-architect, I am inclined to agree that Elias came from West Dereham, Norfolk. The east end of his famous Leaden Hall (long since stripped of its lead) has been discovered under a mass of ivy and creepers in Salisbury Close (June, 1915). A window of later XIIIth-XIVth century style was inserted to give further light through the south wall of the *Aula Plumbea*. The stone tracery is preserved, but the walls had been long since condemned as past restoring.

† We failed to notice on p. 311 the mistake in the MS. "Eugenium quintum" for "quartum."

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